



**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**

3600 West Broad Street, Richmond, Virginia 23230-4917

Telephone: (804) 367-8500 TDD: (804) 367-9753

<http://www.state.va.us/dpor>

LOUISE FONTAINE WARE  
DIRECTOR

SANDRA WHITLEY KYALS  
CHIEF DEPUTY

**DEPUTY DIRECTORS:**

JAMES L. GUFFEY  
Enforcement

STEVEN L. ARTHUR  
Administration & Finance

KAREN W. O'NEAL  
Regulatory Programs

**TO:** The Honorable John S. Reid  
Chairman of the House General Laws Committee

**FROM:** Louise Fontaine Ware *LFW*  
Director

**PHONE:** 397-8519

**DATE:** December 1, 2002

**RE:** Roller Skating Safety Act (Senate Bill 436)

Senate Bill 436, adopted during the 2002 Session of the General Assembly, requested "the Board of Professional and Occupational Regulation . . . [to] examine the feasibility and appropriateness of regulating roller skating rinks." The bill required the Board to report its findings and recommendations to "the Chairs of the committees on General Laws of the House of Delegates and the Senate."

I am pleased to submit the results of the study to you. As a result of the study, the Board has concluded that the roller skating industry does not need to be regulated in the same way that the occupations and professions listed in Title 54.1 of the *Code of Virginia* are regulated. However, the Board does recommend that the legislature consider legislation, if appropriate, to establish minimal safety standards for this industry.

This report, approved November 18, 2002, outlines the findings, conclusions and recommendations of the Board. Members of the Board for Professional and Occupational Regulation would be pleased to answer any questions you may have regarding this study. Please send any questions that you may have to:

Karen O'Neal  
Deputy Director, Regulatory Programs  
Department of Professional and Occupational Regulation  
3600 West Broad Street  
Richmond, Virginia 23230  
(804) 367-8537  
[oneal@dpor.state.va.us](mailto:oneal@dpor.state.va.us)



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Regulatory Programs

**TO:** The Honorable Walter A. Stosch  
Chairman of the Senate General Laws Committee

**FROM:** Louise Fontaine Ware *LF*  
Director

**PHONE:** 397-8519

**DATE:** December 1, 2002

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**TO:** The Honorable Martin E. Williams  
Member, Senate of Virginia

**FROM:** Louise Fontaine Ware  
Director

**PHONE:** 397-8519

**DATE:** December 1, 2002

**RE:** Roller Skating Safety Act (Senate Bill 436)

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As the patron of the legislation requesting the study, I am pleased to submit a copy of the results of the study to you. As a result of the study, the Board has concluded that the roller skating industry does not need to be regulated in the same way that the occupations and professions listed in Title 54.1 of the *Code of Virginia* are regulated. However, the Board does recommend that the legislature consider legislation, if appropriate, to establish minimal safety standards for this industry.

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*BOARD FOR PROFESSIONAL AND  
OCCUPATIONAL REGULATION*

**Report on the Need to Regulate  
Roller Skating Rinks**

**November 18 2002**

**Board Members**

Morris A. Nunes, Chairman

Raynard Jackson, Vice Chairman

Keela Boose-Jackson

Susan T. Ferguson

Maxime A. Frias

Ronald E. Lushbaugh

Dana Martin

Thomas J. Meany, Jr.

Leroy O. Pfeiffer, Sr.

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## **I. EXECUTIVE SUMMARY**

Senate Bill 436 required the Board for Professional and Occupational Regulation (“Board”) to examine the feasibility and appropriateness of regulating roller skating rinks in Virginia and to present its findings to the Chairs of both the House of Delegates and Senate Committees on General Laws. This report details the methodology used in studying this issue and the information obtained. The report summarizes both oral and written comments received by the Board, and concludes with recommendations to both General Assembly Committees.

This study utilized a variety of data-gathering techniques to ensure that no single source disproportionately skewed the Board’s conclusions and recommendations. These included three public hearings, written public comment, a review of injury statistics and a review of the statutory authority in other states regarding roller skating rinks. Participation in the public hearings and the written comments submitted exceeded expectations and provided some unique perspectives regarding the potential impact of Senate Bill 436 on roller skating rinks.

First, a general sense of confusion seemed to exist among members of the roller skating rink industry regarding the bill. The industry representatives assumed the bill would regulate roller skating rinks in Virginia in much the same way as contractors and real estate agents are currently regulated. Second, the various rink owners/operators who commented, either in writing or at the public hearings, generally did not oppose a bill that would prescribe the basic responsibilities of all rink owners and roller skaters in Virginia.

While the industry looked favorably upon the general intent of Senate Bill 436, certain key provisions greatly concerned rink owners/operators and eventually became issues of contention with proponents of the bill. The issues of contention centered around the following concerns: the provision that the rinks provide helmets, in an amount equal to 10 percent of the rink’s maximum capacity, for skaters; the ratio of one floor guard for every 100 skaters; and the requirement that every floor guard be trained in emergency first aid.

As a result of the study, the Board concludes that the roller skating rink industry does not warrant regulation in Virginia.

However, the Board recommends that the legislature consider legislation, if appropriate, to establish minimum safety standards for this industry.

## **II. INTRODUCTION**

### **A. Background and Purpose of Report**

In 2001, five-year-old Clark Andrew Guye died after an accident at a roller skating rink in Newport News in which the floor guard monitoring the rink fell on top of him. Following the tragic accident, Clark's parents, Dawn and Gary Guye, approached Senator Martin E. Williams who introduced Senate Bill 436 during the 2002 Session of the General Assembly. The bill did not establish a regulatory framework for roller skating rinks which would require the licensure or certification of rinks, nor the creation of a regulatory oversight board. Instead, the bill outlined the various duties and responsibilities incumbent upon both roller skating rink owners/operators and the skaters themselves, as well as stated what enforcement options exist should the act be violated.

The General Assembly passed an amended version of Senate Bill 436 with a re-enactment clause and a directive for the Board for Professional and Occupational Regulation to "examine the feasibility and appropriateness of regulating roller skating rinks." The bill instructed the Board to present its findings and recommendations to the Chairs of House of Delegates and Senate Committees on General Laws by December 1, 2002.

### **B. Statutory Authority**

Section 54.1-310 of the *Code of Virginia* provides the statutory authority for the Board for Professional and Occupational Regulation to "evaluate constantly each profession and occupation in the Commonwealth not otherwise regulated for consideration as to whether such profession or occupation should be regulated and, if so, the degree of regulation that should be imposed."

Section 54.1-311 (B) of the *Code* further outlines the degrees of regulation as well as the steps for determining the proper degree of regulation for a profession or occupation, if any by stating the following:

B. In determining the proper degree of regulation, if any, the Board shall determine the following:

1. Whether the practitioner, if unregulated, performs a service for individuals involving a hazard to the public health, safety or welfare.
2. The opinion of a substantial portion of the people who do not practice the particular profession, trade or occupation on the need for regulation.
3. The number of states which have regulatory provisions similar to those proposed.

4. Whether there is sufficient demand for the service for which there is no regulated substitute and this service is required by a substantial portion of the population.
5. Whether the profession or occupation requires high standards of public responsibility, character and performance of each individual engaged in the profession or occupation, as evidenced by established and published codes of ethics.
6. Whether the profession or occupation requires such skill that the public generally is not qualified to select a competent practitioner without some assurance that he has met minimum qualifications.
7. Whether the professional or occupational associations do not adequately protect the public from incompetent, unscrupulous or irresponsible members of the profession or occupation.
8. Whether current laws which pertain to public health, safety and welfare generally are ineffective or inadequate.
9. Whether the characteristics of the profession or occupation make it impractical or impossible to prohibit those practices of the profession or occupation which are detrimental to the public health, safety and welfare.
10. Whether the practitioner performs a service for others which may have a detrimental effect on third parties relying on the expert knowledge of the practitioner.

### **C. Methodology**

- Contact the bill patron to obtain additional information regarding the need for legislation.
- Review current statutes in other jurisdictions.
- Obtain medical information and injury statistics relating to roller skating.
- Consult with roller skating associations to obtain relevant data.
- Conduct at least one public hearing in the Hampton Roads area and add two additional hearings around the state depending on the level of interest.
- Solicit written comments from: the parents of Clark Andrew Guye, roller skating rink owners/operators, members of roller skating associations, and other interested parties.



### **III. Findings**

#### **A. Profile of the Industry<sup>1</sup>**

Roller skating can be traced back to 1760 when a Belgian inventor first introduced the roller skate to the world. In 1819, the first patent was granted for roller skates. By 1883, roller skating had become a popular pastime for men and women. Wealthy men in Newport, R.I., played "roller polo," a hockey game. Others held contests in dance and figure skating. Outdoors, men and women were racing in speed contests. The more the public saw of skating, the more they wanted to try it themselves. The roller skating industry started to prosper.

Just before World War II, a group of skating rink owners formed the Roller Skating Rink Operators Association (RSROA) to promote roller skating and establish good business practices for skating rinks. The RSROA eventually changed its name to the Roller Skating Association International (RSA) and has played an active leadership role in the roller skating industry since 1937. The RSA is a trade association representing skating center owners and operators; teachers, coaches and judges of roller skating; and manufacturers and suppliers of roller skating equipment. The RSA provides its members with industry information, publications, purchasing discounts, national marketing programs, and an opportunity to attend educational seminars and an annual convention and trade show.

Under the guidance of the association, roller skating enjoyed steady growth through the 1940s, 50s and 60s. It became known as a family activity that provides fitness, socialization and fun – an image that prevails today.

In the 1970s, several improvements occurred in roller skating. Skating floors became easier to maintain. Plastic wheels that provided smoother, easier skating became the standard. The music and lighting at skating centers was also modernized. When skaters discovered how easy it was to skate with the new wheels, another big skating boom exploded. By 1977, people everywhere were skating to music.

After the boom during the disco era, roller skating industry growth slowed through the 80s. In 1986, manufacturers began offering in-line skates to fitness enthusiasts. When manufacturers began marketing in-line skates to the public in the 1990s, people became excited about roller skating again. By the mid-90s, in-line skating and in-line hockey had become two of the most popular sports in America.

Skating center owners began to utilize the new market by renting in-line skates and promoting the safety benefits of skating indoors. During this decade of change, many skating centers began to expand into family entertainment centers by offering a wider variety of entertainment choices. Though many skating centers now offer video and redemption games, laser tag and soft play, operators insist that roller skating will always remain the anchor of their business.

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<sup>1</sup> The following history was obtained from the Roller Skating Association International website ([www.rollerskating.org](http://www.rollerskating.org)).

In 1997, an independent survey reported approximately 62 roller skating rinks in Virginia. RSA statistics for 2002 report roughly 26 rinks currently enrolled as members in the organization.

## **B. State Statutes**

Currently, 11 other states have statutes that are similar to Senate Bill 436: Georgia, Illinois, Indiana, Maine, Michigan, New Jersey, North Carolina, Ohio, South Carolina, Texas, and Wisconsin. Appendix B provides a specific comparison between Senate Bill 436 and the other state statutes.

A review of Senate Bill 436 and the 11 other statutes shows that Virginia modeled its bill after various sections of the Illinois and South Carolina statutes. During the public hearings, Senator Williams' legislative aide confirmed that the bill was patterned after the Illinois statute.

The Board received testimony concerning the key differences among the other state statutes and Senate Bill 436 as they relate to the roller skating rink operator's duties and responsibilities in the following areas:

- The helmet provision requiring operators to maintain a minimum number of safety helmets in an amount equal to 10 percent of the rink's maximum occupancy;
- The 1:100 ratio of floor guards to skaters; and
- The requirement that floor guards be trained in emergency first aid.

None of the 11 other roller skating safety statutes contain either a helmet provision or require emergency training of any kind for floor guards. With regard to the ratio of floor guards to skaters, other state statutes mandate ratios of either 1:175 or 1:200.

## **C. Virginia Statutes of Note**

The *Code of Virginia* contains a statute with provisions similar to those in Senate Bill 436, namely the Amusement Device Rider Safety Act (§§ 59.1-519 through 524). Like Senate Bill 436, the Amusement Device Rider Safety Act prescribes responsibilities for the riders of amusement devices, signage requirements for the owners/operators of such devices, and the exact same enforcement and common law doctrines sections found in Senate Bill 436. Other than the signage requirement, the Act does not mandate any other duties for amusement device owners/operators. Also, the Act contains a duty provision on the part of the parent or guardian of a rider, as well as the duty of a rider himself, to file an injury report with the owner/operator of the amusement device before leaving the premises. These final two duties do not exist in Senate Bill 436.

With regard to the most contentious issue raised concerning Senate Bill 436 – the helmet provision – one should note that the Equine Activity Liability Act (§§ 3.1-796.130 through

796.133) does not contain a helmet provision. Additionally no Virginia statute mandates that helmets be worn while riding a bicycle. Section 46.2-906.1 of the *Code of Virginia* simply allows that:

the governing body of any county, city or town may, by ordinance, provide that every person fourteen years of age or younger shall wear a protective helmet that meets the standards promulgated by the American National Standards Institute or the Snell Memorial Foundation whenever riding or being carried on a bicycle.

#### **D. Roller Skating-Related Injuries**

According to information received from the Centers for Disease Control (“CDC”) regarding sports related injuries, on average persons between the ages of 5 and 24 sustain skating-related injuries that result in 150,000 emergency room visits a year. While this number may appear large, one should note that the number of skating injuries provided by the CDC combined roller skating injuries with injuries sustained during ice skating and skateboarding as well. Additionally, the information provided did not specify whether the injuries were sustained in a rink or outdoors. For a comparative perspective, the CDC statistics also documented the following for the 5-24 age group:

<b>Type of activity/sport</b>	<b>Number of yearly visits to an emergency room</b>
Roller Skating/ Ice Skating/Skate Boarding	150,000
Basketball	447,000
Cycling	421,000
Football	271,000
Baseball/Softball	245,000
Soccer	95,000
Gymnastics/Cheerleading	146,000
Playground related activity	137,000

*Ambulatory Health Care Data, 1997-1998 (June 12, 2002)*

The U.S. Consumer Product Safety Commission (“CPSC”) provided more detailed injury information regarding the activity/sport of roller skating. According to the CPSC’s National Electronic Injury Surveillance System, individuals of all ages sustained:

- 45, 232 roller skating related injuries in 1999;
- 44, 476 roller skating related injuries in 2000; and
- 48, 933 roller skating related injuries in 2001.

The following analysis of CPSC statistics documents areas of the body where a majority of the injuries occurred each year:

<b>Number of Injuries per Body Part (Percentage of Total for that Year)</b>			
	<b>1999</b>	<b>2000</b>	<b>2001</b>
Ankle	3561.2 (7.87%)	4173.4 (9.38%)	4787.3 (9.78%)
Elbow	3690.5 (8.16%)	3549.5 (7.98 %)	3837.4 (7.84%)
Face	1470.4 (3.25%)	2379.4 (5.35%)	1958.8 (4.00%)
Finger	1957.6 (4.33%)	1240.7 (2.79%)	1262.2 (2.58%)
Hand	1270.1 (2.81%)	1085.0 (2.44%)	1154.5 (2.36%)
Head	2146.9 (4.75%)	2022.9 (4.55%)	2261.8 (4.62%)
Knee	3630.7 (8.03%)	3559.2 (8.00%)	3416.4 (6.98%)
Lower Arm	7212.2 (15.95%)	5915.8 (13.30%)	7694.7 (15.72%)
Lower Leg	1620.7 (3.58%)	1800.7 (4.05%)	2210.6 (4.52%)
Lower Trunk	2070.1 (4.58%)	2004.1 (4.51%)	3073.3 (6.28%)
Wrist	12678.0 (28.03%)	12607.0 (28.35%)	12563.0 (25.67%)

The injuries reported to the CPSC ranged from simple sprains and contusions to more serious injuries such as concussions, fractures, dislocations, and even amputations. Appendix C provides a further analysis of the injury to body parts by age and severity for 1999, 2000, and 2001.

The CPSC data does not distinguish between injuries sustained in a for-profit roller skating rink and those that occurred outside or at a non-profit rink. This distinction is important because Senate Bill 436 only addresses for-profit rinks. The CPSC data does, however, contain nine categories to describe the location of the accident, if known, including “Home,” “Street or Highway,” “Other Public Property” and “Place of Recreation or Sports.” In an attempt to determine the number of injuries that occurred inside roller skating rinks, the injury statistics for “Other Public Property” and “Place of Recreation or Sports” provided the following information:

<b>Number of Injuries Per Body Part (Percentage of Total for That Year)</b>			
	<b>1999</b>	<b>2000</b>	<b>2002</b>
Ankle	42 (8.68%)	53 (9.55%)	61 (9.31%)
Arm	85 (17.56%)	86 (15.50%)	127 (19.39%)
Ear	2 (0.41%)	1 (0.18%)	1 (0.15%)
Elbow	44 (9.09%)	45 (8.11%)	45 (6.87%)
Eye	2(0.41%)	0 (0.00%)	1 (0.15%)
Face	27 (5.58%)	27 (4.86%)	31 (4.73%)
Finger	12 (2.48 %)	21 (3.78%)	25 (3.82%)
Foot	2 (0.41%)	7 (1.26%)	2 (0.31%)
Hand	17 (3.51%)	11 (1.98%)	11 (1.68%)
Head	30 (6.20%)	30 (5.41%)	34 (5.19%)
Knee	28 (5.79%)	43 (7.75%)	43 (6.56%)
Leg	14 (2.89%)	27 (4.86%)	38 (5.80%)
Lower Trunk	23 (4.75%)	26 (4.68%)	43 (6.56%)
Mouth	6 (1.24%)	10 (1.80%)	9 (1.37%)
Neck	6 (1.24%)	5 (0.90%)	4 (0.61%)

Nose	1 (0.21%)	0 (0.00%)	0 (0.00%)
Other	3 (0.62%)	2 (0.36%)	4 (0.61%)
Shoulder	8 (1.65 %)	12 (2.16%)	9 (1.37%)
Toe	0 (0.00%)	4 (0.72%)	1 (0.15%)
Upper Trunk	7 (1.45%)	8 (1.44%)	8 (1.22%)
Wrist	125 (25.83%)	137 (24.68%)	158 (24.12%)
<b>Total</b>	<b>484</b>	<b>555</b>	<b>655</b>

One should note that the numbers above may include skating-related injuries in locations other than for-profit rinks, such as public parks.

At no point does the CPSC data document a death caused by a skating injury. During one of the public hearings, the parents of Clark Andrew Guye stated that they were aware of three deaths at roller skating rinks since 1999: their son, Clark; a 66-year-old man who fell and hit his head; and a seven-year-old girl in Wisconsin in an incident similar to Clark Guye's tragic accident. The insurance company that had insured RSA members for the past eight years indicated its records showed a nationwide average of approximately one death in a roller skating rink annually.

#### **E. Public Comments**

The Board held three public hearings to solicit public comment regarding the need to regulate roller skating rinks in Virginia. The hearings were held in Newport News on September 20, 2002; in Richmond on September 23, 2002; and in Roanoke on October 4, 2002. Appendices D (for Newport News), E (for Richmond) and F (for Roanoke) summarize the comments received at the hearings.

Public participation at the hearings was considerable, with the parents of Clark Andrew Guye, Senator Williams' legislative aide, and various roller skating rink owners/operators and industry representatives attending all three hearings.

Members of the public, especially those representing the roller skating industry, expressed confusion regarding the intent of Senate Bill 436. Many assumed the bill would mandate a regulatory scheme for roller skating rinks similar to those found in Title 54.1 of the *Code of Virginia*. As previously noted, the bill was never designed to regulate the roller skating industry, but rather to prescribe the responsibilities of rink owners/operators and roller skaters. The Board made numerous attempts to clarify this basic misconception about the bill to the various members of the public who attended the public hearings.

Proponents of Senate Bill 436 and industry representatives repeatedly stated their intent to contact each other in an attempt to design compromise language acceptable to all interested parties. However, at no time during the course of the study did any such communication occur. At two of the public hearings, members of the Board encouraged the interested parties to initiate dialogue and reach consensus on the bill.

## ***1. General***

Various proponents of the bill expressed surprise that a person could be so seriously injured at a skating rink as to suffer injuries resulting in death. They understood the need to wear safety equipment when skating outdoors but believed the roller skating industry should be more proactive in informing the public that such equipment, such as a helmet, should be worn in a rink as well. They cited this lack of awareness as the primary reason why people did not wear helmets and other safety equipment in the rinks. In response, the rink owners/operators indicated that they encourage patrons to bring and wear personal safety equipment inside the rinks, whether or not the rinks display signage explicitly stating such a policy.

The roller skating rink owners/operators who commented generally did not oppose a bill that would prescribe the basic responsibilities of all rink owners and roller skaters in Virginia. Numerous industry representatives stated that they would support a bill identical to the Illinois statute, after which Senate Bill 436 was originally patterned. While the industry looked favorably upon the general concept behind the bill, certain key provisions caused them great concern and ultimately became issues of contention with proponents of Senate Bill 436.

## ***2. Helmet Provision***

The industry's main area of concern with Senate Bill 436 centered around the provision for rinks to make available "a number of safety helmets available for use by roller skaters in an amount equal to ten percent of the rink's maximum capacity and in sizes appropriate to the incremental skate sizes."

Rink owners/operators argued that the helmet provision would impose a financial hardship, noting that the cost of the helmet (estimates ranged from \$25 - \$35 each), as well as associated storage and maintenance costs, would be impossible to recover. They claimed that no one, especially children, would wear helmets and indicated that virtually no skater made use of helmets already available for use at certain rinks. Additionally, the owners/operators stated that the use of helmets was normally low because they interfere with the social nature of roller skating at a rink.

Responses to the owners/operators focused on the bill's failure to prohibit the renting or selling of helmets at a rink, noting that the rinks could potentially recoup the cost of the helmets by renting them to skaters. Others suggested that charitable organizations or safety equipment companies might supply helmets at no or very low cost to rinks. Also, proponents of the bill maintained that increased public awareness about the importance of wearing a helmet inside a rink would increase the number of people who would wear the helmets provided.

Industry representatives also expressed fear that the current language in the bill would eventually mandate all skaters to wear helmets in a rink. The Guyes stated that mandatory language originally existed in the bill before being replaced with the current voluntary usage provision. Rink owners/operators commented that mandated helmet usage would, in effect, devastate an industry that is already suffering low attendance.

Rink owners/operators noted further that simply making helmets available for use – without raising awareness – would not achieve the bill’s purpose in promoting skater safety. They suggested instead a signage requirement at rinks informing patrons of the safety benefits of bringing and wearing their own helmets and other equipment should they choose to do so.

Industry representatives also raised questions about liability issues and the bill’s failure to specify the type of helmet required and to identify any mechanism to ensure proper size and fit. To the rink owners/operators, the use and fit of a helmet is an issue best resolved by individual skaters or parents of children who skate, rather than by the owners and operators themselves.

Finally, rink owners/operators argued against current language that linked the number of available helmets to the maximum capacity of the rink. Maximum capacity, defined based on building or fire codes, might be as high as 1000 people, while peak attendance at rinks approximates 300 people. Owners/operators looked favorably on a suggestion to link the number of helmets to average attendance levels, noting that they already maintain that information for insurance purposes.

Proponents of Senate Bill 436 – while remaining adamant that helmets remain a key element of the bill – agreed that the helmet provision should be reworked to address some of the industry’s concerns, especially the issue surrounding maximum capacity versus average attendance. Proponents also acknowledged the unique nature of at the bill’s helmet provision in that such a requirement did not exist in any other state statute.

### **3. *Ratio of Floor Guards to Skaters***

A second major issue of contention over Senate Bill 436 concerned the ratio of one floor guard for every 100 skaters. Rink owners/operators cited the industry standard of 1:200, noting that many other state statutes observed that ratio. Proponents of the bill offered no rationale for the 1:100 proposal in the bill and indicated a willingness to revise the ratio to reflect the industry standard.

### **4. *Emergency First Aid***

The final major issue raised during the public hearings centered on the requirement for rinks to provide every floor guard with emergency first aid training. Industry representatives noted that the average age of floor guards was approximately 15-18 years old, and that teenagers should not bear primary responsibility to perform first aid on an injured person. Instead, rink owners/operators proposed that the owner or manager-on-duty be trained in emergency first aid. In the event of an injury, the floor guard would be responsible for maintaining crowd control while an owner or manager administered first aid. Industry representatives also expressed concerns about the financial burden for training floor guards because turnover in those positions are high and the bill does not specify the type of training required.

Proponents of the bill supported the existing emergency first aid requirement as necessary for safety, noting that floor guards would likely be first on the scene of an injury while managers

might be unable to respond immediately. The Guyes said they advocated strongly for the current language because neither a floor guard nor a manager provided medical assistance during their son's tragic accident. Proponents also argued that the cost of basic first aid training is minimal and would not pose a significant financial burden on rink owners/operators.

Industry representatives mentioned other suggestions to improve Senate Bill 436, including less ambiguous language prescribing skaters' responsibilities and signage outlining the skater's duties as well as the operator's duties. Finally, owners/operators requested the bill be expanded to cover skating venues other than only for-profit rinks.

#### **F. Written Comments**

The Board received significantly fewer written comments than oral testimony. Only one proponent of Senate Bill 436 submitted written comments, which advocated for increased education about the dangers of roller skating and the need to use safety equipment in rinks.

Five people involved with the roller skating industry provided written comments, including a fiscal impact statement from one rink operator. This operator's estimates of the financial burden associated with the bill showed (1) the cost to the average roller skating rink of the helmet provision [\$9, 119.79 increase in annual expenses plus a \$5,375.00 initial startup cost], and (2) the cost to the average roller skating rink of the floor guard-to-skater ratio and the emergency first aid training provisions [\$43, 273.00 increase in annual expenses plus a \$912.50 initial startup cost].

The attorney who authored the New Jersey roller skating safety statute also submitted written comments and specific suggestions for amendments to improve Senate Bill 436.

Appendix G summarizes all written comments received.

### **IV. CONCLUSIONS AND RECOMMENDATIONS**

Based upon the information received as a result of the study, the Board for Professional and Occupational Regulation concludes that the roller skating rink industry does not warrant regulation in Virginia.

However, the Board recommends that the legislature consider legislation, if appropriate, to establish minimum safety standards for this industry.



# **APPENDIX A**

## **SENATE BILL 436**

## VIRGINIA ACTS OF ASSEMBLY — 2002 SESSION

# APPENDIX A

### CHAPTER 790

*An Act to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 45, consisting of sections numbered 59.1-519 through 59.1-524, relating to the Roller Skating Safety Act; Clark's Law; penalty.*

[S 436]

Approved April 8, 2002

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 45, consisting of sections numbered 59.1-519 through 59.1-524, as follows:

#### CHAPTER 45.

#### ROLLER SKATING SAFETY ACT.

§ 59.1-519. Short title.

*This chapter may be cited as the "Roller Skating Safety Act" or "Clark's Law."*

§ 59.1-520. Definitions.

*As used in this chapter:*

*"Floor guard" means a person employed by the operator to oversee the skating session and maintain order in the roller skating rink.*

*"Operator" means a person who owns, manages, controls or directs or who has operational responsibility for a roller skating rink.*

*"Roller skater" means a person wearing roller skates while in a roller skating rink for the purpose of recreational or competitive roller skating. Roller skater also includes any person in such roller skating rink who is an invitee, whether or not said person pays consideration.*

*"Roller skating rink" means a for profit private or commercial structure or facility containing an area specifically designed for roller skating that is regularly used or offered for use to the public for recreational or competitive roller skating.*

*"Spectator" means a person who is present in a roller skating rink only for the purpose of observing recreational or competitive skating.*

§ 59.1-521. Operator duties and responsibilities.

*An operator shall:*

1. Post conspicuously in at least three locations in the roller skating rink the duties and responsibilities of the operator as prescribed in this chapter;

2. Maintain the stability and legibility of all signs, symbols, and posted notices required by this chapter;

3. Have a number of safety helmets available for use by roller skaters in an amount equal to ten percent of the rink's maximum capacity and in sizes appropriate to the incremental skate sizes made available for use;

4. Have at least one floor guard on duty for every approximately 100 skaters when the rink is open for sessions. Floor guards shall be provided training in emergency first aid and the procedure for exiting the rink in times of emergency;

5. Maintain the skating surface in a reasonably safe condition and clean and inspect the skating surface before each session;

6. Maintain the railings, kickboards and walls surrounding the skating surface in good condition;

7. Ensure that the covering on the riser is securely fastened in rinks with step-up or step-down skating surfaces;

8. Install fire extinguishers and inspect fire extinguishers at recommended intervals;

9. Inspect emergency lighting units periodically to ensure the lights are in proper order;

10. Keep exit lights in service areas on when skating surface lights are turned off during special numbers;

11. Check rental skates on a regular basis to ensure the skates are in good mechanical condition; and

12. Comply with all applicable state and local safety codes.

*§ 59.1-522. Skater responsibilities.*

*Each skater shall:*

- 1. Maintain reasonable control of his speed and course at all times to the extent he is able;*
- 2. Comply with all properly posted signs and warnings and follow the reasonable instructions of the operator;*
- 3. Wear skates only in areas designated by the operator; and*
- 4. Refrain from acting in a manner that may cause or contribute to the injury of himself or any other person.*

*§ 59.1-523. Enforcement; civil penalties.*

*A. Enforcement of the provisions of this chapter may be brought only as follows:*

- 1. Any law-enforcement officer may issue a summons for a violation of this chapter; and*
- 2. The attorney for the county, city or town in which the alleged violation occurred may bring an action to recover the civil penalty authorized by subsection B.*

*B. Any person who violates the provisions of this chapter may be subject to a civil penalty in an amount not to exceed \$500. Such penalty shall be paid into the local treasury.*

*§ 59.1-524. Common law doctrines not affected.*

*Nothing in this chapter shall be construed to repeal or diminish in any respect common law doctrines, which shall continue in full force and effect, nor shall a violation of this chapter constitute negligence per se in any civil action.*

- 2. That the provisions of the first enactment of this act shall not become effective unless reenacted by the 2003 Session of the General Assembly.**
- 3. That the Board of Professional and Occupational Regulation shall examine the feasibility and appropriateness of regulating roller skating rinks. The Board of Professional and Occupational Regulation shall report its findings, including any recommendation for regulation and the terms of any such regulation to the Chairs of the Committees on General Laws of the House of Delegates and the Senate on or before December 1, 2002.**

# **APPENDIX B**

## **COMPARISON OF STATE LAWS**

# APPENDIX B

## Comparison of Senate Bill 436 with Other State Roller Skating Safety Statutes

The following comparison chart was derived largely from the results of a search of statutes and codes of the individual states listed. Access to these statutes was conducted via the internet primarily utilizing the search engine provided on the FindLaw – Cases and Codes web page (<http://www.findlaw.com/casecode/>)

**NOTE:** specific information regarding each state statute can be found in parenthesis by the name of each state

<u><b>CONTENT OF SB 436</b></u>	<u><b>STATES WHOSE STATUTES CONTAIN SIMILAR CONTENT</b></u>	<u><b>STATES WHOSE STATUTES DO NOT CONTAIN SIMILAR CONTENT</b></u>
<b>Definitional section</b>		
<ul style="list-style-type: none"> <li>Definition of “Floor Guard”</li> </ul>	None	None
<ul style="list-style-type: none"> <li>Definition of “Operator”</li> </ul>	Georgia, Illinois, Maine, Michigan, New Jersey, North Carolina, Ohio, South Carolina, Texas	Indiana, Wisconsin
<ul style="list-style-type: none"> <li>Definition of “Roller Skater”</li> </ul>	Georgia, Illinois, Maine, Michigan, New Jersey, North Carolina, Ohio, South Carolina	Indiana, Texas, Wisconsin,
<ul style="list-style-type: none"> <li>Definition of “Roller Skating Rink”</li> </ul>	Georgia, Illinois, Maine, Michigan, New Jersey, North Carolina, Ohio, South Carolina, Texas	Indiana, Wisconsin
<ul style="list-style-type: none"> <li>Definition of “Spectator”</li> </ul>	Georgia, Illinois, Michigan, New Jersey, North Carolina, Ohio, South Carolina, Texas	Indiana, Maine, Wisconsin
<b>Operator Responsibilities section</b>		
<ul style="list-style-type: none"> <li>Post conspicuously in at least three locations in the roller skating rink the duties and responsibilities of the operator as prescribed in this chapter</li> </ul>	Illinois, Indiana, Michigan, New Jersey, North Carolina, Ohio, South Carolina	Georgia, Maine, Texas, Wisconsin
<ul style="list-style-type: none"> <li>Maintain the stability and legibility of all signs, symbols, and posted notices required by this chapter</li> </ul>	Georgia, Illinois, Indiana, Maine, Michigan, New Jersey, North Carolina, Ohio, South Carolina, Texas	Wisconsin

<ul style="list-style-type: none"> <li>Have a number of safety helmets available for use by roller skaters in an amount equal to ten percent of the rink's maximum capacity and in sizes appropriate to the incremental skate sizes made available for use</li> </ul>	None	Georgia, Illinois, Indiana, Maine, Michigan, New Jersey, North Carolina, Ohio, South Carolina, Texas, and Wisconsin
<ul style="list-style-type: none"> <li>Have at least one floor guard on duty for every approximately 100 skaters when the rink is open for sessions.</li> </ul>	Illinois (1 per 200) Indiana (1 per 175) New Jersey (1 per 200) North Carolina (1 per 200) Ohio (1 per 175) South Carolina (1 per 200) Texas (1 per 200)	Georgia, Maine, Michigan, Wisconsin
<ul style="list-style-type: none"> <li>Floor guards shall be provided training in emergency first aid and the procedure for exiting the rink in times of emergency</li> </ul>	None	Georgia, Illinois, Indiana, Maine, Michigan, New Jersey, North Carolina, Ohio, South Carolina, Texas, and Wisconsin
<ul style="list-style-type: none"> <li>Maintain the skating surface in a reasonably safe condition and clean and inspect the skating surface before each session</li> </ul>	Georgia (maintain in standards accepted in industry; no inspection required) Illinois Indiana Maine (maintain in standards accepted in industry; no inspection required) Michigan (maintain in standards accepted in industry; no inspection required) New Jersey North Carolina Ohio South Carolina Texas (maintain in good condition)	Wisconsin
<ul style="list-style-type: none"> <li>Maintain the railings, kickboards and walls surrounding the skating surface in good condition</li> </ul>	Illinois, Indiana, New Jersey, North Carolina, Ohio, South Carolina, Texas	Georgia, Maine, Michigan, Wisconsin
<ul style="list-style-type: none"> <li>Ensure that the covering on the riser is securely fastened in rinks with step-up or step-down skating surfaces</li> </ul>	Illinois, New Jersey, North Carolina, South Carolina	Georgia, Indiana, Maine, Michigan, Ohio, Texas, Wisconsin
<ul style="list-style-type: none"> <li>Install fire extinguishers and inspect fire extinguishers at recommended intervals</li> </ul>	Illinois, New Jersey, North Carolina, Ohio	Georgia, Indiana, Maine, Michigan, South Carolina, Texas, Wisconsin

<ul style="list-style-type: none"> <li>Inspect emergency lighting units periodically to ensure the lights are in proper order</li> </ul>	Illinois, New Jersey, North Carolina, Ohio, South Carolina	Georgia, Indiana, Maine, Michigan, Texas, Wisconsin
<ul style="list-style-type: none"> <li>Keep exit lights in service areas on when skating surface lights are turned off during special numbers</li> </ul>	Illinois, New Jersey, North Carolina, Ohio	Georgia, Indiana, Maine, Michigan, South Carolina, Texas, Wisconsin
<ul style="list-style-type: none"> <li>Check rental skates on a regular basis to ensure the skates are in good mechanical condition</li> </ul>	Georgia (maintain in standards accepted in industry) Illinois Indiana (maintain skates in good mechanical condition) Maine (maintain in standards accepted in industry) Michigan (maintain in standards accepted in industry) Ohio New Jersey North Carolina South Carolina (inspect skates on a regular basis and maintain in good mechanical condition) Texas (inspect and maintain skates in good mechanical condition)	Wisconsin
<ul style="list-style-type: none"> <li>Comply with all applicable state and local safety codes</li> </ul>	Illinois, Indiana, New Jersey, North Carolina, Ohio, South Carolina	Georgia, Maine, Michigan, Texas, Wisconsin
<b>Skater Responsibilities section</b>		
<ul style="list-style-type: none"> <li>Maintain reasonable control of his speed and course at all times to the extent he is able</li> </ul>	Georgia, Illinois, Indiana Maine, Michigan, New Jersey, North Carolina, Ohio, South Carolina, Texas, Wisconsin  (NOTE: only South Carolina's statute contains "to the extent he is able")	Wisconsin

<ul style="list-style-type: none"> <li>Comply with all properly posted signs and warnings and follow the reasonable instructions of the operator</li> </ul>	Georgia (nothing about complying with signs; read all posted signs and warnings) Illinois (nothing about complying with signs; heed all posted signs and warnings) Indiana (nothing about complying with signs; heed all posted signs and warnings) Michigan (nothing about complying with signs; read all posted signs and warnings) Ohio (nothing about complying with signs; heed all posted signs and warnings) New Jersey (nothing about complying with signs; heed all posted signs and warnings) North Carolina (nothing about complying with signs; heed all posted signs and warnings) South Carolina Texas (comply with posted signs or warnings; obey instructions given by the operator)	Maine, Wisconsin
<ul style="list-style-type: none"> <li>Wear skates only in areas designated by the operator</li> </ul>	South Carolina	Georgia, Illinois, Indiana, Maine, Michigan, New Jersey, North Carolina, Ohio, Texas, Wisconsin
<ul style="list-style-type: none"> <li>Refrain from acting in a manner that may cause or contribute to the injury of himself or any other person</li> </ul>	Georgia, Illinois, Indiana, Michigan, New Jersey, North Carolina, Ohio, South Carolina, Texas, Wisconsin	Maine
<b>Enforcement- Civil Penalties section</b>	None	Georgia, Illinois, Indiana, Maine, Michigan, New Jersey, North Carolina, Ohio, South Carolina Texas, Wisconsin



<b>Common Law Doctrines Not Affected</b>		
<ul style="list-style-type: none"> <li>Nothing in this chapter shall be construed to repeal or diminish in any respect common law doctrines, which shall continue in full force and effect, nor shall a violation of this chapter constitute negligence per se in any civil action</li> </ul>	<p>The following states allow for a skater, spectator or operator who violate the statute to be liable in a civil action for damages resulting from the violation: Georgia, Maine, Michigan</p> <p>The following states have an assumption of the risk provision in their statutes but will allow for a skater, spectator or operator to be liable for certain situations: Illinois, Indiana, New Jersey, North Carolina, Ohio, South Carolina</p> <p>The following states have a provision in their statutes that will allow for an operator to be liable for a breach of the operator's responsibilities: Texas</p>	

The statutory citations for the statutes listed above are as follows:

**Georgia** – Georgia Code Annotated §§ 51-1-43

**Illinois** – 745 Illinois Compiled Statutes 72/1-30

**Indiana** – Indiana Code §§ 34-31-6 et seq.

**Maine** – Maine Revised Statutes Annotated title 8, §§ 603 et seq.

**Michigan** – Michigan Compiled Laws §§ 445.1721 et seq.

**New Jersey** – New Jersey Statutes Annotated §§ 5:14-1 et seq.

**North Carolina** – North Carolina General Statutes §§ 99E-10 et seq.

**Ohio** – Ohio Revised Code Annotated §§ 4141.01 et seq.

**South Carolina** – South Carolina Code Annotated §§ 52-21-10 et seq.

**Texas** – Texas Health & Safety Code Annotated §§ 759.001 et seq.

**Wisconsin** – Wisconsin Statutes §§ 895.525 et seq.

# **APPENDIX C**

## **U.S. PRODUCT SAFETY COMMISSION DATA**

## APPENDIX C

ROLLERSKATING - CALENDAR YEAR 1999 09:40 Wednesday, October 16, 2002 2  
 ESTIMATES REPORT SOURCE: NATIONAL ELECTRONIC INJURY SURVEILLANCE SYSTEM  
 U.S. CONSUMER PRODUCT SAFETY COMMISSION/DIRECTORATE FOR EPIDEMIOLOGY  
 NATIONAL INJURY INFORMATION CLEARINGHOUSE

The FREED Procedure  
 Table of bdpct by age

bdpct	age							Total
Frequency	00-4	05-14	15-24	25-44	45-64	65-UP		
SHOULDER	0	230.34	157.01	195.39	0	17.624	600.36	
UPPER TRUNK	66.69	392.94	149.21	156.41	135.38	0	890.63	
ELBOW	144.32	1926.7	614.42	671.16	262.67	71.259	3690.5	
LOWER ARM	470.64	4958.8	355.87	918.99	508.48	0	7212.7	
WRIST	0	8695.6	1124.6	2184.7	673.53	0	12678	
KNEE	0	1598.5	989.32	1042.9	0	0	3630.7	
LOWER LEG	40.718	738.03	365.97	421.55	54.474	0	1620.7	
ANKLE	17.624	1288.6	747.89	1305.6	201.49	0	3561.2	
HEAD	66.69	1357.8	131	502.52	88.883	0	2146.9	
FACE	29.365	830.62	271.9	253.36	66.69	18.425	1470.4	
EYEBALL	0	35.248	0	0	0	0	35.248	
LOWER TRUNK	0	1052	40.718	826.47	151	0	2070.1	
Total (Continued)	1171.18	26652.1	5819.83	9081	2332.98	175.417	45232.5	

ROLLBACKING - CALENDAR YEAR 1999  
 ESTIMATE REPORT SOURCE: NATIONAL ELECTRONIC INJURY SURVEILLANCE SYSTEM  
 U.S. CONSUMER PRODUCT SAFETY COMMISSION/DIRECTORATE FOR EPIDEMIOLOGY  
 NATIONAL INJURY INFORMATION CLEARINGHOUSE

3

The FREQ Procedure

Table of bdp1 by age

bdpt	age							
frequency	00-4	05-14	15-24	25-44	45-64	65-Up	Total	
UPPER ARM	66.69	31.263	0	17.624	0	0	135.58	
UPPER LEG	5.4699	95.254	0	149.21	35.843	0	285.77	
HAND	17.624	650.11	509.17	52.872	40.323	0	1270.1	
FOOT	0	208	134.8	68.109	0	68.109	479.02	
25-50% OF BODY	0	5.4699	0	71.259	0	0	76.729	
ALL PARTS BODY	0	17.624	0	0	0	0	17.624	
NOT STATED/UNK	5.4699	5.4699	0	0	0	0	10.94	
MOUTH	155.57	669.19	0	41.513	0	0	866.27	
NECK	66.69	179.89	66.69	18.425	18.425	0	350.12	
FINGER	17.624	1515.6	161.28	165.28	97.79	0	1957.6	
TOE	0	0	0	17.624	0	0	17.624	
EAR	0	149.21	0	0	0	0	149.21	
total	1171.18	26652.1	5819.83	9081	2332.98	175.417	45232.5	

ROLLERSKATING - CALENDAR YEAR 1999  
 SOURCE: NATIONAL ELECTRONIC INJURY SURVEILLANCE SYSTEM  
 U.S. CONSUMER PRODUCT SAFETY COMMISSION/DIRECTORATE FOR EPIDEMIOLOGY  
 NATIONAL INJURY INFORMATION CLEARINGHOUSE

09:40 Wednesday, October 16, 2002

## The FREQ Procedure

Table of bdyr by diag

bdyr	diag											Total
Frequency Row Pct	CONCUSSION OR	CONTUSION OR, ABR.	CRUSHING INJ	DISLOCAT ION	FOREIGN BODY	FRACTURE	HEMATOMA	LACERATI ON				
SHOULDER	0	173.25	0	0	0	107.31	0	0	0	0	0	400.36
	0.00	28.86	0.00	0.00	0.00	17.87	0.00	0.00	0.00	0.00	0.00	
UPPER TRUNK	0	521.62	66.69	0	0	170.05	0	0	0	0	0	898.63
	0.00	58.05	7.82	0.00	0.00	18.92	0.00	0.00	0.00	0.00	0.00	
ELBOW	0	151.8	0	94.985	0	1197	0	0	0	0	0	3690.5
	0.00	40.98	0.00	2.57	0.00	32.43	0.00	0.00	0.00	0.00	0.00	
LOWER ARM	0	1009	0	137.95	0	5502.8	0	0	0	0	0	7212.7
	0.00	13.99	0.00	1.91	0.00	78.29	0.00	0.00	0.00	0.00	0.00	
WRIST	0	1287.2	0	0	0	6002.4	0	0	0	0	0	12678
	0.00	10.15	0.00	0.00	0.00	47.34	0.00	0.00	0.00	0.00	0.00	
KNEE	0	1420	0	66.69	0	225.91	0	0	0	0	0	3630.7
	0.00	39.11	0.00	1.84	0.00	6.22	0.00	0.00	0.00	0.00	0.00	
LOWER LEG	0	584.4	0	0	0	995.61	0	0	0	0	0	1620.7
	0.00	36.06	0.00	0.00	0.00	61.43	0.00	0.00	0.00	0.00	0.00	
ANKLE	0	93.793	0	0	0	1500.1	0	0	0	0	0	3561.2
	0.00	2.63	0.00	0.00	0.00	42.12	0.00	0.00	0.00	0.00	0.00	
HEAD	474.75	489.53	0	0	0	18.425	0	0	0	0	0	2146.9
	22.11	22.80	0.00	0.00	0.00	0.86	0.00	0.00	0.00	0.00	0.00	
FACE	0	395.88	0	0	0	35.248	66.69	0	0	0	0	1470.4
	0.00	26.92	0.00	0.00	0.00	2.40	4.54	0.00	0.00	0.00	0.00	
EYEBALL	0	35.248	0	0	0	0	0	0	0	0	0	35.248
	0.00	100.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
LOWER TRUNK	0	1020	0	0	0	231.69	0	0	0	0	0	2070.1
	0.00	49.27	0.00	0.00	0.00	12.16	0.00	0.00	0.00	0.00	0.00	
Total (continued)	474.748	9408.21	66.6897	483.147	76.7288	17602.1	107.013	2497.74	45232.5			

ROLLERSKATING - CALENDAR YEAR 1999  
 ESTIMATES REPORT SOURCE: NATIONAL ELECTRONIC INJURY SURVEILLANCE SYSTEM  
 U.S. CONSUMER PRODUCT SAFETY COMMISSION/DIRECTORATE FOR EPIDEMIOLOGY  
 NATIONAL INJURY INFORMATION CLEARINGHOUSE

The FREE Procedure

Table of bdp by diag

bdpt	diag	CONCUSSION	CONTUSION	CRUSHING	DISLOCATION	FOREIGN BODY	FRACTURE	HEMATOMA	LACERATION	Total
Frequency Row Pct			MS. ABR.							
UPPER ARM	0	40.323	0	0	0	0	93.254	0	0	135.58
	0.00	29.74	0.00	0.00	0.00	0.00	70.26	0.00	0.00	
UPPER LEG	0	5.4699	0	0	0	0	100.14	0	66.69	285.77
	0.00	1.91	0.00	0.00	0.00	0.00	35.04	0.00	23.34	
HAND	0	303.87	0	0	0	71.259	495.06	40.323	136.19	1270.1
	0.00	23.93	0.00	0.00	0.00	5.61	38.98	3.17	10.72	
FOOT	0	17.624	0	0	0	0	251.01	0	0	479.02
	0.00	3.68	0.00	0.00	0.00	0.00	52.40	0.00	0.00	
25-50% OF BODY	0	76.729	0	0	0	0	0	0	0	76.729
	0.00	100.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
ALL PARTS BODY	0	0	0	0	0	0	0	0	0	17.624
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
NOT STATED/UNK	0	0	0	0	0	0	0	0	0	10.94
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
MOUTH	0	0	0	0	0	0	0	0	334.68	866.27
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	38.64	
NECK	0	5.4699	0	0	0	0	0	0	0	350.12
	0.00	1.56	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
FINGER	0	417	0	183.52	5.4699	654.15	0	5.4699	0.28	1957.6
	0.00	21.30	0.00	9.37	0.28	33.42	0.00	0.00	0.28	
TOE	0	0	0	0	0	0	0	0	17.624	17.624
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00	
EAR	0	0	0	0	0	0	0	0	149.21	149.21
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00	
Total (Continued)	474.768	9408.21	66.6897	483.147	76.7288	17602.1	107.013	2497.74	45232.5	

ROLLERSKATING - CALENDAR YEAR 1999 09:40 Wednesday, October 16, 2002 8  
 ESTIMATES REPORT SOURCE: NATIONAL ELECTRONIC INJURY SURVEILLANCE SYSTEM  
 U.S. CONSUMER PRODUCT SAFETY COMMISSION/DIRECTORATE FOR EPIDEMIOLOGY  
 NATIONAL INJURY INFORMATION CLEARINGHOUSE

## THE FREQ Procedure

Table of bdyt by diag

bdyt	diag								
Frequency Row Pct	DENTAL INJURY	INTERNAL INJURY	PUNCTURE	STRAIN, SPRAIN, K	NOT STAT ED OR UN	OTHER	AVULSION	Total	
SHOULDER	0	0	0	243.08	0	76.729	0	600.36	
	0.00	0.00	0.00	40.49	0.00	12.76	0.00		
UPPER TRUNK	0	0	0	66.69	0	73.579	0	898.63	
	0.00	0.00	0.00	7.42	0.00	8.19	0.00		
ELBOW	0	0	0	784.67	5.4699	96.576	0	3690.5	
	0.00	0.00	0.00	21.26	0.15	2.62	0.00		
LOWER ARM	0	0	0	309.92	117.48	63.399	0	7212.7	
	0.00	0.00	0.00	4.36	1.63	0.88	0.00		
WRIST	0	0	0	5053.3	5.4699	329.99	0	12676	
	0.00	0.00	0.00	39.86	0.04	2.60	0.00		
KNEE	0	0	0	1466.3	0	503.56	35.843	3630.7	
	0.00	0.00	0.00	40.39	0.00	8.36	0.99		
LOWER LEG	0	0	0	17.624	0	5.4699	0	1620.7	
	0.00	0.00	0.00	1.09	0.00	0.34	0.00		
ANKLE	0	0	0	1944.2	0	23.094	0	3561.2	
	0.00	0.00	0.00	54.39	0.00	0.65	0.00		
HEAD	0	492.17	0	0	35.843	17.624	0	2146.9	
	0.00	22.92	0.00	0.00	1.67	0.82	0.00		
FACE	0	0	0	5.4699	0	0	0	1470.4	
	0.00	0.00	0.00	0.37	0.00	0.00	0.00		
EYEBALL	0	0	0	0	0	0	0	35.248	
	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
LOWER TRUNK	0	0	0	539.65	71.259	187.57	0	2070.1	
	0.00	0.00	0.00	26.07	3.44	9.06	0.00		
Total (Continued)	312.899	492.172	147.428	11830.8	270.77	1426.22	35.8425	45232.5	

## The FREQ Procedure

Table of bdpct by diag

bdpct	diag	DENIAL I WJURY	INTERNAL INJURY	PUNCTURE	STRAIN, SPRAIN, K	NOT STAY ED OR UN	OTHER	AVULSION	Total
Frequency Row Pct									
UPPER ARM		0	0	0	0	0	0	0	135.58
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	
UPPER LEG		0	0	0	113.47	0	0	0	285.77
		0.00	0.00	0.00	39.71	0.00	0.00	0.00	
HAND		0	0	0	182.68	17.624	23.094	0	1270.1
		0.00	0.00	0.00	14.38	1.39	1.82	0.00	
FOOT		0	0	0	172.06	0	38.32	0	479.02
		0.00	0.00	0.00	35.92	0.00	8.00	0.00	
25-50% OF BODY		0	0	0	0	0	0	0	76.729
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	
ALL PARTS BODY		0	0	0	0	17.624	0	0	17.624
		0.00	0.00	0.00	0.00	100.00	0.00	0.00	
NOT STATED/UNK		0	0	0	0	0	10.94	0	10.94
		0.00	0.00	0.00	0.00	0.00	100.00	0.00	
ROUTIN		312.9	0	147.43	0	0	71.259	0	866.27
		36.12	0.00	17.02	0.00	0.00	8.23	0.00	
NECK		0	0	0	344.65	0	0	0	350.12
		0.00	0.00	0.00	98.44	0.00	0.00	0.00	
FINGER		0	0	0	586.97	0	105.01	0	1957.6
		0.00	0.00	0.00	29.98	0.00	5.36	0.00	
TOE		0	0	0	0	0	0	0	17.624
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	
EAR		0	0	0	0	0	0	0	149.21
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Total		312.899	492.172	147.428	11830.8	270.77	1426.22	35.8425	45232.5



ESTIMATES REPORT SOURCE: NATIONAL ELECTRONIC INJURY SURVEILLANCE SYSTEM  
 U.S. CONSUMER PRODUCT SAFETY COMMISSION/DIRECTORATE FOR EPIDEMIOLOGY  
 NATIONAL INJURY INFORMATION CLEARINGHOUSE

## The FREQ Procedure

Table of bdpt by age

bdpt	age									
frequency	00-4	05-14	15-24	25-44	45-64	65-UP	Total			
SHOULDER	0	284.19	170.36	215.2	35.431	17.322	722.5			
UPPER TRUNK	0	376.45	75.953	206.9	101.14	0	760.45			
ELBOW	231	1779.8	209.99	1172.2	156.41	0	3549.5			
LOWER ARM	152.51	4106.3	211.53	1034.2	411.3	0	5915.8			
WRIST	80.424	8140.8	873.56	2534.6	899.84	77.375	12607			
KNEE	0	2035.2	461.96	973.96	88.146	0	3559.2			
LOWER LEG	123.22	1046.6	187.68	216.61	157.4	69.218	1800.7			
ANKLE	5.9163	1959.4	866.79	1159.1	182.09	0	4173.4			
PUBIC REGION	0	5.9163	0	0	0	0	5.9163			
HEAD	52.393	1113.7	362.38	342.83	131.57	0	2022.9			
FACE	5.9163	1835.9	139.26	398.4	0	0	2379.4			
LOWER TRUNK	0	930.06	340.53	716.24	17.322	0	2004.1			
Total	913.851	26917.5	4445.57	9604.82	2631.3	163.915	44476.9			

(Continued)

ESTIMATES REPORT SOURCE: ROLLERSKATING - CALENDAR YEAR 2000 09:40 Wednesday, October 16, 2002 3  
 U.S. CONSUMER PRODUCT SAFETY COMMISSION/DIRECTORATE FOR EPIDEMIOLOGY  
 NATIONAL INJURY INFORMATION CLEARINGHOUSE

## The FREQ Procedure

Table of bdp by age

bdpt	age						Total
Frequency	00-4	05-14	15-24	25-44	45-64	65-up	
UPPER ARM	0	456.04	0	223.91	59.492	0	739.44
UPPER LEG	0	85.068	77.375	78.792	0	0	241.23
HAND	137.78	668.72	122.76	86.54	69.218	0	1085
FOOT	0	122.46	128.71	35.431	0	0	286.59
25-50% OF BODY	0	0	17.322	17.322	0	0	34.644
ALL PARTS BODY	17.322	0	0	0	0	0	17.322
NOT STATED/UNK	0	5,9163	0	70.037	0	0	75.953
NOSE	0	562.76	40.56	0	83.823	0	687.15
NECK	17.322	98.373	79.263	53.337	0	0	248.29
FINGER	0	1159.6	11.833	69.218	0	0	1240.7
TOE	90.048	144.28	67.746	0	0	0	302.07
EAR	0	0	0	0	18.109	0	18.109
Total	913.851	26917.5	4445.57	9604.82	2431.3	163.915	44476.9

ROLLERSKATING - CALENDAR YEAR 2000  
 ESTIMATES REPORT SOURCE: NATIONAL ELECTRONIC INJURY SURVEILLANCE SYSTEM  
 U.S. CONSUMER PRODUCT SAFETY COMMISSION/DIRECTORATE FOR EPIDEMIOLOGY  
 NATIONAL INJURY INFORMATION CLEARINGHOUSE

The FREE Procedure

Table of bdp by diag

bdpt	diag	AMPUTATI ON	CONCUSSI ON	CONTUSIO NS, ABR. ION	DISLOCAT ION	FOREIGN BODY	FRACTURE	MEMORABLE INJURY	LACERATI ON	Total
frequency row pct										
SHOULDER	0	0	0	204.48	168.89	0	191.93	0	0	722.5
	0.00	0.00	0.00	26.30	23.38	0.00	26.57	0.00	0.00	
UPPER TRUNK	0	0	0	274.36	0	0	112.21	0	0	760.45
	0.00	0.00	0.00	36.08	0.00	0.00	14.76	0.00	0.00	
ELBOW	0	0	0	1330.3	23.230	0	1509.1	45.293	151.57	3549.5
	0.00	0.00	0.00	37.48	0.65	0.00	42.52	1.28	4.27	
LOWER ARM	0	0	0	592.3	69.218	0	4634.6	0	0	5915.8
	0.00	0.00	0.00	10.01	1.17	0.00	81.72	0.00	0.00	
WRIST	0	0	0	1103	0	0	6651.8	0	6.7615	12607
	0.00	0.00	0.00	8.75	0.00	0.00	52.76	0.00	0.05	
KNEE	0	0	0	1889	86.34	0	243.64	73.662	95.655	3559.2
	0.00	0.00	0.00	53.07	2.63	0.00	6.85	2.87	2.69	
LOWER LEG	0	0	0	304.2	0	0	1449.6	0	0	1800.7
	0.00	0.00	0.00	16.89	0.00	0.00	80.50	0.00	0.00	
ANKLE	0	0	0	145.17	0	0	1249.6	0	0	4173.4
	0.00	0.00	0.00	3.48	0.00	0.00	29.94	0.00	0.00	
PUBIC REGION	0	0	0	0	0	0	0	0	0	5.9163
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
HEAD	0	0	0	443.99	461.32	0	11.833	52.55	111.38	2022.9
	0.00	0.00	0.00	21.95	22.81	0.00	0.58	2.60	5.31	
FACE	0	0	0	701.33	0	0	113.44	75.953	1488.7	2379.4
	0.00	0.00	0.00	29.47	0.00	0.00	4.77	3.19	62.57	
LOWER TRUNK	0	0	0	1018.8	0	0	167.64	6.7615	5.9163	2004.1
	0.00	0.00	0.00	50.84	0.00	0.00	8.36	0.34	0.30	
Total (continued)	17.3218	643.992	9373.76	483.378	5.9163	17543.7	254.22	2715.15	44476.9	

ROLLERSKATING - CALENDAR YEAR 2000  
 ESTIMATES REPORT SOURCE: NATIONAL ELECTRONIC INJURY SURVEILLANCE SYSTEM  
 U.S. CONSUMER PRODUCT SAFETY COMMISSION/DIRECTORATE FOR EPIDEMIOLOGY  
 NATIONAL INJURY INFORMATION CLEARINGHOUSE

## The FREQ Procedure

Table of bdpct by diag

bdpct	diag	AMPUTATI ON	CONCUSSI ON	CONTUSIO NS, ABR. ION	DISLOCAT ION	FOREIGN BODY	FRACTURE	HEMATOMA	LACERATI ON	Total
Frequency Row Pct										
UPPER ARM	0	0	309.39	0	0	0	424.13	0	0	739.44
	0.00	0.00	41.84	0.00	0.00	0.00	57.36	0.00	0.00	
UPPER LEG	0	0	85.068	0	0	0	77.375	0	0	241.23
	0.00	0.00	35.26	0.00	0.00	0.00	32.07	0.00	0.00	
HAND	0	0	652.58	0	0	0	149.45	0	137.78	1085
	0.00	0.00	60.14	0.00	0.00	0.00	13.77	0.00	12.70	
FOOT	0	0	12.678	0	5.9163	94.063	32.82	0	69.218	286.59
	0.00	0.00	4.42	0.00	2.06	32.82	0.00	0.00	24.15	
25-50% OF BODY	0	0	34.644	0	0	0	0	0	0	34.644
	0.00	0.00	100.00	0.00	0.00	0.00	0.00	0.00	0.00	
ALL PARTS BODY	0	0	0	0	0	0	0	0	0	17.322
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
NOT STATED/UNK	0	0	0	0	0	0	0	0	0	75.953
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
MOUTH	0	0	0	0	0	0	0	0	479.79	687.15
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	69.82	
NECK	0	0	34.644	0	0	0	0	0	69.218	248.29
	0.00	0.00	13.95	0.00	0.00	0.00	0.00	0.00	27.88	
FINGER	0	0	152.76	0	0	0	265.32	0	11.833	1240.7
	0.00	0.00	12.31	10.92	0.00	21.22	0.00	0.00	0.95	
TOE	17.322	0	67.746	0	0	0	0	0	69.218	302.07
	5.73	0.00	22.45	0.00	0.00	0.00	0.00	0.00	22.91	
EAR	0	0	0	0	0	0	0	0	18.109	18.109
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100.00	
Total (Continued)	17.3218	443.992	9373.76	483.378	5.9163	17543.7	254.22	2715.15	44476.9	

ROLLERSKATING - CALENDAR YEAR 2000  
 ESTIMATES REPORT SOURCE: NATIONAL ELECTRONIC INJURY SURVEILLANCE SYSTEM  
 U.S. CONSUMER PRODUCT SAFETY COMMISSION/DIRECTORATE FOR EPIDEMIOLOGY  
 NATIONAL INJURY INFORMATION CLEANINGHOUSE

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## The FREQ Procedure

Table of bdpct by diag

bdpct	diag										Total
Frequency Row Pct	DENTAL INJURY	INTERNAL INJURY	PUNCTURE	STRAIN, SPRAIN	NOT ED OR UN	OTHER	AVULSION	DERMA/CO			Total
SHOULDER	0	0	0	157.2	0	0	0	0	0	0	722.5
	0.00	0.00	0.00	21.76	0.00	0.00	0.00	0.00	0.00	0.00	
UPPER TRUNK	0	17.322	0	141.41	67.746	147.41	0	0	0	0	760.45
	0.00	2.26	0.00	18.60	8.91	19.38	0.00	0.00	0.00	0.00	
ELBOW	0	0	0	454.12	0	35.858	0	0	0	0	3549.5
	0.00	0.00	0.00	12.79	0.00	1.01	0.00	0.00	0.00	0.00	
LOWER ARM	0	0	0	220.99	0	198.71	0	0	0	0	5915.8
	0.00	0.00	0.00	3.74	0.00	3.56	0.00	0.00	0.00	0.00	
WAIST	0	0	0	4219.7	5.9163	619.46	0	0	0	0	12607
	0.00	0.00	0.00	35.67	0.05	4.91	0.00	0.00	0.00	0.00	
KNEE	0	0	0	781.22	0	389.52	0	0	0	0	3559.2
	0.00	0.00	0.00	21.95	0.00	10.94	0.00	0.00	0.00	0.00	
LOWER LEG	0	0	0	0	5.9163	23.665	0	17.322	0	0	1800.7
	0.00	0.00	0.00	0.00	0.33	1.31	0.00	0.96	0.00	0.00	
ANKLE	0	0	0	2760.5	0	18.109	0	0	0	0	4173.4
	0.00	0.00	0.00	66.14	0.00	0.43	0.00	0.00	0.00	0.00	
PUBIC REGION	0	0	0	0	0	5.9163	0	0	0	0	5.9163
	0.00	0.00	0.00	0.00	0.00	100.00	0.00	0.00	0.00	0.00	
HEAD	0	924.49	0	0	0	17.322	0	0	0	0	2022.9
	0.00	45.70	0.00	0.00	0.00	0.86	0.00	0.00	0.00	0.00	
FACE	0	0	0	0	0	0	0	0	0	0	2379.4
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
LOWER TRUNK	0	0	0	507.75	17.322	279.91	0	0	0	0	2004.1
	0.00	0.00	0.00	25.33	0.86	13.97	0.00	0.00	0.00	0.00	
Total (continued)	117.62	941.811	83.8228	10224.6	172.854	2064.11	17.3218	17.3218	17.3218	44476.9	

ROLLERSKATING - CALENDAR YEAR 2000  
 ESTIMATES REPORT SOURCE: NATIONAL ELECTRONIC INJURY SURVEILLANCE SYSTEM  
 U.S. CONSUMER PRODUCT SAFETY COMMISSION/DIRECTORATE FOR EPIDEMIOLOGY  
 NATIONAL INJURY INFORMATION CLEARINGHOUSE

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The FREQ Procedure

Table of bdy by diag

bdy	diag											Total
Frequency Row Pct	DENTAL INJURY	INTERNAL INJURY	PUNCTURE	STRAIN, SPRAIN, K	NOT STAT ED OR UN	OTHER	AVULSION	DERMA/CO MUNCT				Total
UPPER ARM	0	0	0	5.9163	0	0	0	0				739.44
	0.00	0.00	0.00	0.80	0.00	0.00	0.00	0.00				
UPPER LEG	0	0	0	78.792	0	0	0	0				241.23
	0.00	0.00	0.00	32.66	0.00	0.00	0.00	0.00				
HAND	0	0	0	40.56	0	104.65	0	0				1085
	0.00	0.00	0.00	3.74	0.00	9.64	0.00	0.00				
FOOT	0	0	0	87.396	0	17.322	0	0				286.59
	0.00	0.00	0.00	30.49	0.00	6.04	0.00	0.00				
25-50% OF BODY	0	0	0	0	0	0	0	0				34.644
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
ALL PARTS BODY	0	0	0	0	0	17.322	0	0				17.322
	0.00	0.00	0.00	0.00	0.00	100.00	0.00	0.00				
NOT STATED/UNK	0	0	0	0	75.953	0	0	0				75.953
	0.00	0.00	0.00	0.00	100.00	0.00	0.00	0.00				
MOUTH	117.62	0	83.823	0	0	5.9163	0	0				687.15
	17.12	0.00	12.20	0.00	0.00	0.86	0.00	0.00				
NECK	0	0	0	144.43	0	0	0	0				248.29
	0.00	0.00	0.00	58.17	0.00	0.00	0.00	0.00				
FINGER	0	0	0	624.75	0	35.228	17.322	0				1240.7
	0.00	0.00	0.00	50.35	0.00	2.84	1.40	0.00				
TOE	0	0	0	0	0	147.79	0	0				302.07
	0.00	0.00	0.00	0.00	0.00	48.92	0.00	0.00				
EAR	0	0	0	0	0	0	0	0				18.109
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
Total	117.62	941.811	83.8228	10224.6	172.854	2064.11	17.3218	17.3218				44476.9

TOTAL P.24

The FREQ Procedure  
 Table of bdpt by age

bdpt	age							Total
Frequency	00-4	05-14	15-24	25-44	45-64	65-UP		
SHOULDER	0	488.33	376.24	205.84	0	0	1068.4	
UPPER TRUNK	0	558.51	83.78	309.18	88.15	0	1039.6	
ELBOW	76.321	1675.5	564.58	1288.6	350.44	0	3873.4	
LOWER ARM	88.613	5781.1	232.3	1037.9	554.8	0	7694.7	
WRIST	128.21	8813.7	929.73	2067.9	623.74	0	12563	
KNEE	0	938.99	1240.4	1142.9	94.088	0	3416.4	
LOWER LEG	7.0238	1433.7	224.28	392.14	153.45	0	2210.6	
ANKLE	16.957	2323.3	1071.1	1307.6	68.308	0	4787.3	
PUBIC REGION	0	16.957	0	0	0	0	16.957	
HEAD	136.57	1362.1	441.76	233.22	0	88.15	2261.8	
FACE	122.42	1189.7	260.84	181.43	128.05	76.321	1958.8	
EYEBALL	0	0	7.0238	0	0	0	7.0238	
LOWER TRUNK	75.332	906.21	581.3	1167.8	222.68	119.8	3073.3	
Total	858.629	28905.9	6566.21	9889.76	2428.53	284.269	48933.3	

(continued)

(Continued)

The FREQ Procedure  
 Table of bdpct by age

bdpct	age						Total
	00-4	05-14	15-24	25-44	45-64	65-UP	
Frequency							
UPPER ARM	16.957	67.827	77.131	153.45	0	0	315.37
UPPER LEG	76.321	105.57	53.913	76.321	76.321	0	368.45
HAND	0	1147.5	7.0238	0	0	0	1154.5
FOOT	0	104.55	181.43	88.15	0	0	374.13
25-50% OF BODY	0	30.126	16.957	16.957	0	0	64.04
ALL PARTS BODY	0	23.103	0	0	0	0	23.103
NOT STATED/UNK	0	38.796	76.321	0	0	0	115.12
MOUTH	33.913	562.85	33.913	0	0	0	630.67
NECK	7.0238	129.09	88.15	143.95	0	0	368.21
FINGER	72.969	924.41	40.059	156.46	68.308	0	1262.2
TOE	0	217.6	0	0	0	0	217.6
EAR	0	68.308	0	0	0	0	68.308
Total	858.629	28905.9	6566.21	9889.76	2428.53	286.269	48933.3



The FACE procedure  
 Table of bdpct by diag

bdpct	diag	AN	CONCUSSION	CONTUSION	DISLOCATION	FRACTURE	HEMATOMA	LACERATION	Total
Frequency		ON	ON	BS, ABR.	ION			ON	
SHOULDER		0	0	248.98	188.89	462.84	0	0	1068.4
		0.00	0.00	23.30	17.68	43.32	0.00	0.00	
UPPER TRUNK		0	0	606.49	0	171.93	0	0	1039.6
		0.00	0.00	58.34	0.00	16.54	0.00	0.00	
ELBOW		0	0	1493.6	346.28	1194.7	0	82.467	3873.4
		0.00	0.00	38.56	8.94	30.84	0.00	2.13	
LOWER ARM		0	0	540.74	0	668.6	0	143.95	7694.7
		0.00	0.00	7.03	0.00	87.05	0.00	1.87	
WRIST		0	0	1031.5	0	6761.7	0	0	12563
		0.00	0.00	8.21	0.00	53.82	0.00	0.00	
KNEE		0	0	1329.2	16.957	153.45	0	33.913	3416.4
		0.00	0.00	38.91	0.50	4.49	0.00	0.99	
LOWER LEG		0	0	186.97	0	1746.4	55.753	58.87	2210.6
		0.00	0.00	8.46	0.00	79.00	2.52	2.30	
ANKLE		0	0	86.746	0	1294	0	0	4787.3
		0.00	0.00	1.81	0.00	27.03	0.00	0.00	
PUBIC REGION		0	0	16.957	0	0	0	0	16.957
		0.00	0.00	100.00	0.00	0.00	0.00	0.00	
Total		16.9567	378.463	8897.57	569.075	20326.2	250.785	2661.01	48933.3
(Continued)									

The FREQ Procedure

Table of bdpct by diag

bdpct	diag	AMPUTATI ON	CONCUSSI ON	CONTUSIO NS, ABR- SION	DISLOCAT ION	FRACTURE	HEMATOMA	LACERATI ON	Total
Frequency Row Pct									
HEAD		0	378.46	559.46	0	6.1458	72.969	290.09	2261.8
		0.00	16.73	24.74	0.00	0.27	3.23	12.83	
FACE		0	0	311.11	0	0	122.06	1525.6	1958.8
		0.00	0.00	15.88	0.00	0.00	6.23	77.89	
EYEBALL		0	0	7.0238	0	0	0	0	7.0238
		0.00	0.00	100.00	0.00	0.00	0.00	0.00	
LOWER TRUNK		0	0	1864	0	440.36	0	16.957	3073.3
		0.00	0.00	34.04	0.00	16.33	0.00	0.55	
UPPER ARM		0	0	16.957	0	221.28	0	0	315.37
		0.00	0.00	5.38	0.00	70.17	0.00	0.00	
UPPER LEG		0	0	235.11	0	16.957	0	0	368.45
		0.00	0.00	63.81	0.00	4.60	0.00	0.00	
HAND		0	0	473.16	0	410.65	0	170.41	1154.5
		0.00	0.00	60.98	0.00	35.57	0.00	14.76	
FOOT		0	0	74.422	0	164.47	0	0	374.13
		0.00	0.00	19.89	0.00	43.96	0.00	0.00	
25-50% OF BODY		0	0	57.016	0	0	0	0	64.04
		0.00	0.00	89.03	0.00	0.00	0.00	0.00	
Total (Continued)		16.9567	378.463	8897.57	569.075	20326.2	250.785	2681.01	48933.3

The free procedure

Table of bdpt by diag

bdpt	diag	AMPUTATI ON	CONCUSSI ON	CONTUSIO NS, ABR. ION	DISLOCAT ION	FRACTURE	HEMATOMA	LACERATI ON	Total
Frequency Row pct									
ALL PARTS BODY		0	0	0	0	0	0	0	23.103
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	
NOT STATED/UNK		0	0	0	0	0	0	0	115.12
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	
HOOTH		0	0	66.823	0	0	0	281.45	630.67
		0.00	0.00	10.60	0.00	0.00	0.00	46.63	
NECK		0	0	0	0	0	0	0	368.21
		0.00	0.00	0.00	0.00	0.00	0.00	0.00	
FINGER		16.957	0	432.99	16.957	509.77	0	16.957	1262.2
		1.34	0.00	34.30	1.34	40.39	0.00	1.34	
TOE		0	0	76.321	0	72.969	0	0	217.6
		0.00	0.00	35.07	0.00	35.53	0.00	0.00	
EAR		0	0	0	0	0	0	68.308	68.308
		0.00	0.00	0.00	0.00	0.00	0.00	100.00	
Total (Continued)		16.9567	378.463	8897.57	569.075	20326.2	250.785	2681.01	48933.3

The FREQ Procedure  
 Table of bdpct by diag

bdpct		diag									
Frequency Row Pct	DENTAL INJURY	INTERNAL INJURY	PUNCTURE	STRAIN, SPRAIN	NOT STAT ED OR UN	OTHER	AVULSION	Total			
SHOULDER	0	0	0	167.7	0	0	0	1068.4			
	0.00	0.00	0.00	15.70	0.00	0.00	0.00				
UPPER TRUNK	0	16.957	0	72.969	0	171.28	0	1039.6			
	0.00	1.63	0.00	7.82	0.00	16.48	0.00				
ELBOW	0	0	0	467.95	0	288.32	0	5873.4			
	0.00	0.00	0.00	12.88	0.00	7.44	0.00				
LOWER ARM	0	0	0	235.09	0	76.321	0	7694.7			
	0.00	0.00	0.00	3.06	0.00	8.99	0.00				
WRIST	0	0	0	4254.3	76.321	439.52	0	12563			
	0.00	0.00	0.00	33.86	0.61	3.50	0.00				
KNEE	0	0	0	1620.1	0	262.8	0	3416.4			
	0.00	0.00	0.00	47.42	0.00	7.69	0.00				
LOWER LEG	0	0	88.15	82.467	0	0	0	2210.6			
	0.00	0.00	3.99	3.73	0.00	0.00	0.00				
ANKLE	0	0	0	3366.5	0	40.059	0	4787.3			
	0.00	0.00	0.00	70.32	0.00	0.84	0.00				
PUBIC REGION	0	0	0	0	0	0	0	16.957			
	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
Total (Continued)	282.395	964.611	88.1497	12158.7	198.463	2114.75	6.1458	48933.3			

The FREQ procedure

Table of bdpct by diag

bdpct	diag							
Frequency Row Pct	DENTAL INJURY	INTERNAL INJURY	PUNCTURE	STRAIN, SPRAIN	NOT STAT ED OR UN K	OTHER	AVULSION	Total
HEAD	0	947.65	0	0	0	7.0238	0	2261.8
	0.00	41.90	0.00	0.00	0.00	0.31	0.00	
FACE	0	0	0	0	0	0	0	1958.8
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
EYEBALL	0	0	0	0	0	0	0	7.0238
	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
LOWER TRUNK	0	0	0	1134.1	0	435.91	0	3073.3
	0.00	0.00	0.00	36.90	0.00	14.18	0.00	
UPPER ARM	0	0	0	0	0	77.131	0	315.37
	0.00	0.00	0.00	0.00	0.00	24.46	0.00	
UPPER LEG	0	0	0	82.467	0	33.913	0	368.45
	0.00	0.00	0.00	22.38	0.00	9.20	0.00	
HAND	0	0	0	100.3	0	0	0	1154.5
	0.00	0.00	0.00	8.69	0.00	0.00	0.00	
FOOT	0	0	0	118.28	0	16.957	0	374.13
	0.00	0.00	0.00	31.61	0.00	4.53	0.00	
25-50% OF BODY	0	0	0	0	7.0238	0	0	64.04
	0.00	0.00	0.00	0.00	10.97	0.00	0.00	
Total (Continued)	282.395	966.611	88.1497	12158.7	198.463	2114.75	6.1458	48933.3

The FREE Procedure

Table of bdpct by dia

bdpct	dia										
Frequency Row Pct	DENTAL INJURY	INTERNAL INJURY	PUNCTURE	STRAIN, SPRAIN, K	NOT STAT ED OR UN	OTHER	AVULSION	Total			
ALL PARTS BODY	0	0	0	0	0	23.103	0	23.103			
	0.00	0.00	0.00	0.00	0.00	100.00	0.00				
NOT STATED/UNK	0	0	0	0	115.12	0	0	115.12			
	0.00	0.00	0.00	0.00	100.00	0.00	0.00				
MOUTH	282.4	0	0	0	0	0	0	630.67			
	44.78	0.00	0.00	0.00	0.00	0.00	0.00				
NECK	0	0	0	202.93	0	165.28	0	368.21			
	0.00	0.00	0.00	55.11	0.00	44.89	0.00				
FINGER	0	0	0	185.3	0	77.131	6.1458	1262.2			
	0.00	0.00	0.00	14.68	0.00	6.11	0.49				
TOE	0	0	0	68.308	0	0	0	217.6			
	0.00	0.00	0.00	31.39	0.00	0.00	0.00				
EAR	0	0	0	0	0	0	0	68.308			
	0.00	0.00	0.00	0.00	0.00	0.00	0.00				
Total	282.395	966.611	68.1497	12158.7	198.463	2114.75	6.1458	48933.3			

Table of year by mo

year	mo												
Frequency Row Pct	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
2001	4453	4773.8	6371.9	4645.8	4056.8	2727.2	3406.2	2903.1	3972.2	3150.1	4416.3	4056.7	48933
	9.10	9.76	13.02	9.49	8.29	5.57	6.96	5.93	8.12	6.44	9.03	8.29	
Total	4452.99	4773.78	6371.9	4645.8	4056.84	2727.22	3406.2	2903.06	3972.2	3150.13	4416.49	4056.72	48933.3

for pred3 + fmv  
all data are missing since all

# **APPENDIX D**

## **SUMMARY OF PUBLIC COMMENTS**

**NEWPORT NEWS**

# APPENDIX D

## Summary of Public Comments from September 20, 2002 Public Hearing in Newport News

### Board for Professional and Occupational Regulation Study Need for Regulating Roller Skating Rinks Pursuant to Senate Bill 436

Name and Affiliation	Summary of Comments
Dana Chaput  Owner, Haygood Skating Center in Virginia Beach, Virginia	<p>Felt that the safety of the skaters is of paramount importance to the roller skating industry since if people are constantly getting hurt they will not go to the rinks. Stated that there are risks with skating like with any other activity. Felt the industry is behind Senate Bill 436. Stated that he supports anyone that would like to wear a helmet in his rink. With the helmet provision, believed the number of helmets the bill calls for rinks to provide (10% of total capacity) is too high. Would be willing to carry some helmets to provide to customers but the amount called for in the bill is too high. Also felt that some of the skater responsibilities are vaguely worded to be helpful.</p> <p>In response to some questions, stated that membership in the RSA is voluntary and that some rinks in Virginia may not be members of it. Felt that the helmet provision opens up a lot of issues that have not been addressed, like what type of helmets rinks should provide, what sizes of helmets should rinks provide, and what would happen if a rink stopped a person from bringing in and wearing a helmet that was not approved. Had never heard of any rink preventing people from bringing in their own safety equipment into a rink. Claimed that rinks do prevent people from bringing in skates that do not meet the rink's guidelines due to potential damage that could be done to the rink's skating surface. Additionally, stated that rinks just prevent people from bringing in outside things that the Department of Health does not permit, like food and drink. Felt that rinks are a controlled environment. Realized that the death of Clark Andrew Guye was an accident but does not feel that the helmet provision has enough information in it that would prevent another such accident from happening again. Proposed that a couple of rinks in Virginia try carrying helmets in their facilities and report back their findings regarding how they are used, cleaned, stored, etc. When such data become available, then the helmet issue should be reopened.</p>
David Butler  Owner, Kempsville Family Skating Center in Virginia Beach, Virginia	<p>Main issue was with the helmet provision of Senate Bill 436. Felt that the number the bill calls for rinks to provide is too high. Stated he only had one request for a helmet in over 14 years. Stated that his rink tries to create a safe environment for the skaters but wonders at what point do you continue to add more safety regulations. Wanted to make sure things are done in a responsible manner that is fair to everyone.</p> <p>In response to some questions, stated that the most common injury was probably a</p>



	<p>bruised knee and the occasional broken arm or wrist. Stated that not many people bring in their own safety equipment to the rinks but some do. Admitted to having a sign posted welcoming people to bring their own safety gear. Stated that his insurance carrier does not require helmets. Wondered if the rinks offer a helmet that does not properly fit a person and the person gets hurt would the rink still be liable or not.</p>
<p>Gary and Dawn Guye</p> <p>Clark Andrew Guye's parents</p>	<p>It was reported to them that the floor guard had stopped and was bent over to pick up a fallen child and that he was bent over in the flow of traffic. When the floor guard went to stand up, Clark went into the back of him. Clark fell and the floor guard fell on top of him. Within minutes of the accident, Clark died. Stated that no one from the rink assisted with CPR with their son.</p> <p>Stated that three deaths have been reported in roller skating rinks – Clark's, a 66 year old man who hit his head in 1999, and a 7 year old girl in Wisconsin who died a month after Clark by having a skater fall on top of her. Claimed that Senate Bill 436 is a user friendly bill that protects everyone. Stated that a commission estimated more than 45,000 injuries occur from indoor and outdoor roller skating and that three to four thousand deaths occur from those injuries each year. The statistics only come from hospitals that report the injuries.</p> <p>Stated that the bill was based on the Illinois statute. The helmet provision was not in the Illinois statute but was added to Senate Bill 436. Originally, the helmet provision called for helmets to be mandatory. Came up with the 10 % number as a reasonable number but admitted that it could be reduced. Believed the reason people do not wear helmets is because they are not aware of the amount or type of injuries that can happen at a rink. Stated that they also originally wanted the bill to call for rinks to have signs up stating the chances of dying in the rink due to a fall.</p> <p>Stated that 11 other states had statutes similar to Senate Bill 436. Felt that a helmet would have prevented the death of their child. Admitted that they had had no communication with the roller skating industry with regard to the bill but they were open to that idea.</p> <p>Stated that their children wore helmets when doing activities outside but they never wore one in a rink because they were not aware that they could get injured in a rink.</p> <p>Felt that the money spent training a floor guard in emergency first aid is much less a greater cost than having another parent lose a child.</p> <p>In response to questions, felt that the awareness of wearing a helmet in a roller skating rink is not there among the general public since they are not aware of the potential risks of skating in a rink. Believed that maybe helmet manufacturers would give rinks helmets either free or at a reduced cost as a way of promoting their products. Also wondered if perhaps the rinks could sell helmets as a way of making up the cost of providing helmets to skaters. Did not know the legalities of the issues that the Bill raises but would research them before the next session of the General Assembly.</p>

	Recognized that safety may be costly but that they are not asking too much with Senate Bill 436.
Jenny Mosier Educator	Felt the bill puts the same responsibility to make sure no harm comes to a child on roller skating rinks as educators have. Believed that this bill makes the standards for all rinks the same so that there are no differences between rinks. Stated that she will now not take a group of children skating without helmets. Believed that the helmet provision affords a child who does not own a helmet the opportunity to be able to have one at a rink.
Bona Regas Friend of the Guyes	Fully supports the bill. Would not take her children to a roller skating rink now without a helmet. Felt that the helmet provision is a good thing since when children see other children wearing helmets they will want to wear helmets too. Stated that she thought the cost of a helmet was \$20.00 but that her son had gone to a course where they handed out free Styrofoam helmets to the children.
Nick Nolte Owner, Plaza Roller Rink in Hampton, Virginia	<p>Built his rink 28 years ago and has been skating since he was 12 years old. Had no objection to people who want to bring their own helmets into the rink but to require the rinks to provide helmets for 10% of the rink's maximum capacity is too much of a cost on the rinks. Stated that many of the rules stated in Senate Bill 436 are currently being done by his rink. Did not think that young people would want to wear helmets. Did not object to putting signs up telling people to wear protective gear when skating. Felt there is a health problem with people sharing helmets.</p> <p>In response to a question, felt that he would lose 15 % of his business if there was a requirement that every child under the age of 14 had to wear a helmet. Believed it is the responsibility of the parents to make a child wear a safety helmet.</p>
Nick Nolte, Jr. Owner, Plaza Roller Rink in Hampton, Virginia	<p>Opposed requiring people to wear helmets but is not opposed to having some helmets on hand at a rink for people to use. Would prefer a sign recommending the use of helmets in the rink as a way of raising awareness. Stated that the Roller Skating Association International (RSA) already has many rules and regulations like those that are in Senate Bill 436. Felt that the use the maximum capacity of a building as the basis for the number of helmets a rink has to provide for skaters is uncalled for. Felt that average attendance should be used rather than maximum capacity since rinks are required to keep track of average attendance for insurance purposes. Agreed that someone in the building should know emergency first aid or CPR but it should be a manager on duty, not a floor guard. Also, to provide such training to floor guards would be costly to the rinks because of the high employment turnover in that job. Believed that a standard bicycle or Styrofoam helmet would work fine in the rinks. Thought you could use a disinfectant spray to clean helmets like they use in the skates they rent. Stated that another problem with the helmets is the question of who is going to want to wear a hot, sweaty helmet after someone just used it.</p> <p>In response to some questions, stated that there are no benefits with being in the RSA other than the expertise that the RSA has in the roller skating industry. Admitted that many of the provisions of the Bill are similar to the industry guidelines that the RSA has.</p>
Ginger Samuels	Is in favor of Senate Bill 436. Wondered why Virginia cannot pass Senate Bill 436 when other states already have similar statutes. Believed the health issue in regards to

	<p>the helmets is not much of an issue at all since all children share things. Also, believed that there are sprays that can be used on the helmets. Stated that many teenagers take first aid classes through programs to help prepare them for taking care of children and that the cost to train a worker is nothing compared to the safety of a child. Also stated that she has no problem with a the helmet provision that would require children ten years or younger to wear helmets since they would respond to such a requirement. Had been to skating rinks and had never seen a helmet on a child and had never heard an announcement from the rink advising people to wear helmets. Helmet awareness needed to be on the part of both parents and roller skating rinks.</p>
<p>Sheryl Grady</p> <p>Clark Andrew Guye's aunt</p>	<p>Is in favor of Senate Bill 436. Felt the health issues regarding the helmets is a non issue since there are sprays that can be used in them. Would have had her children wear helmets if she had been aware that they were required or welcomed by the rink. Never saw a sign at a rink welcoming people to bring their own safety equipment. Wondered why the rinks cannot rent the helmets in much the same way they rent skates or simply provide helmets for unfortunate children. Regarding the first aid provision, felt that there are organizations that will provide such training for free. Pointed out that on the day Clark Andrew Guye died there was no one at the rink certified to assist him with his injuries. Believed that through the fees the rinks charge, the owners can recoup the cost of the helmets that way. Felt that skating rinks have to be held more liable than what they are and that helmets are definitely needed to protect the children.</p>
<p>Chuck and Mabel Beck</p> <p>Clark Andrew Guye's maternal grandparents</p>	<p>Is in favor of Senate Bill 436. Believed the bill is good and that we now live in a safer world due to the safety provisions and regulations that are now in place on many things.</p>
<p>Emily Swenson</p> <p>Legislative Assistant to Senator Martin E. Williams</p>	<p>Stated that Senator Williams will be carrying Senate Bill 436 in the 2003 Session of the General Assembly. Read a letter from Senator Williams (see "Summary of Written Comments" in Appendix G for a summary of the letter.)</p> <p>Stated that Senator Williams does not see any way around not having a minimum amount of helmets available inside roller skating rinks for skaters. Pointed out that the skaters are not required to wear the helmets, simply that they be made available by the rinks. Did agree that the 10% number of helmets should be based on average attendance rather than average capacity. Discussed the history of the bill during the 2002 Session of the General Assembly. Pointed out that the bill will not create a roller skating police.</p>
<p>Bryant Suss</p> <p>Commonwealth Attorney, Newport News</p>	<p>Is in favor of Senate Bill 436. Is a parent. Felt that citizens and parents owe the highest duty to the children of Virginia. Supported the bill because it raises awareness in the community regarding the risks involved with roller skating, including death. Before the death of Clark Andrew Guye, never considered that his children should wear helmets inside of rink but now they do. Felt that one cannot equate the cost of buying helmets with the loss of a child. Believed that the bill would reduce the liability of the rinks since it does not require people to wear helmets in the rinks.</p>

# **APPENDIX E**

## **SUMMARY OF PUBLIC COMMENTS**

### **RICHMOND**

# APPENDIX E

## Summary of Public Comments from September 23, 2002 Public Hearing in Richmond

### Board for Professional and Occupational Regulation Study Need for Regulating Roller Skating Rinks Pursuant to Senate Bill 436

Name and Affiliation	Summary of Comments
Emily Swenson  Legislative Assistant to Senator Martin E. Williams	<p>Stated that Senator Williams will be carrying Senate Bill 436 in the 2003 Session of the General Assembly. Read a letter from Senator Williams (see “Summary of Written Comments” in Appendix G for a summary of the letter.)</p> <p>In response to a question, stated that nothing in the bill would prevent roller skating rinks from either renting or selling the helmets they are being asked to provide.</p>
Gibb Howell  Owner, Skate America in Mechanicsville, Virginia	<p>Stated that the industry agrees with the idea of posting the duties and responsibilities of the operators but also feel that the duties and responsibilities of the skaters need to be posted as well as a way of increasing their awareness. Did not understand why the bill singles out only for profit roller skating rinks when there are other areas where roller skating injuries could occur. Felt that perhaps the bill should be expanded to cover those other areas as well. Stated that maximum capacity may not be the best way to base the number of helmets a rink needs to have available. Also, with regards to helmets, did not know if the ratio of helmet sizes to skate sizes a rink has available is an accurate ratio to use. Also, wondered about the liability issues that the bill fails to address, like what would happen if a rink ran out of helmets and someone still got hurt. Did not believe that simply having helmets on the shelves will raise the awareness of skaters to use them. Believed that mandatory signage stating that the rinks recommend the use of helmets would be a better way to address this issue. Felt that the use of helmets should be optional and should be upon the parent to make that determination. Stated that the industry standard of 1 floor guard per every 200 skaters should be used in the bill since no evidence has been presented that this ratio is not adequate. Wants further definition regarding what level of emergency first aid training the bill is calling for floor guards. Would rather see the owners decide who would receive such training as long as a responsible party was on staff during a rink’s hours of operation.</p> <p>In response to questions, stated that his rink does not have skaters sign a release of liability document but that his rink does have signs pointing out some of the risks involved with skating. Is open to working with Senator Williams to find some common ground with the bill. Felt that skating is a social activity and if the bill required children below a certain age to wear a helmet in order to skate then his business would be hurt since the children would find another activity to do. Would</p>

	have to look into the feasibility of renting and selling helmets as a possible way of recovering the costs to the rink to have helmets available.
Gary and Dawn Guye  Clark Andrew Guye's parents	Believed that it is fine for the rinks to be able to rent the helmets but did not want to prevent someone who cannot afford to rent a helmet to not be able to use one. Wanted everybody to have the opportunity to skate with a helmet. Believed that organizations may be willing to donate helmets to rinks as way of promoting themselves. Did not feel that the industry is doing enough to encourage people to wear helmets in the rinks. With regard to the emergency first aid training, believed that while not every floor guard would need to be trained that the floor guard on duty should be trained since he would be the first person to arrive at the scene of an accident. Claimed that the bill would be amended to specify what level of first aid training a floor guard would need to have.
Karin Guye  Related to Gary and Dawn Guye	Believed that if you encourage children to wear helmets they will wear them. Believed that if the rinks were to market the wearing of helmets it would be a win-win situation for everyone involved. Did not believe that the emergency first aid training of floor guards is as big an issue as the rinks are making out since her daughter received CPR and first aid training at a young age through a babysitting course and that there are local organizations willing to provide such training.
Andy Adams  Roller skating center operator and Member of the Virginia State Bar	Is a member of both the RSA and the USA Roller Sports. To the best of his knowledge, neither organization had been contacted regarding the Senate Bill 436. Felt that the bill is not the least restrictive means available to accomplish the objectives of the bill but did not offer any alternatives at that time that would be less restrictive. Did believe that signage and awareness aspects would be important components of less restrictive means. Felt that the bill is counter to the freedoms that all Americans have. Is very much opposed to the helmet provision in the bill. Believed the law of supply and demand should dictate if helmets are to be provided in a roller skating rink.
Malcolm Huffman  Operator, Hugo's Skateway in Bealton, Virginia	<p>Been a rink operator for 10 years and his paramount concern is for the safety of his patrons. Stated that he currently performs many of the duties stated in the bill (ex. inspect the floors, inspect the skates). Pays close attention to the guidelines established by the RSA. Claimed that his rink has a minimum of three floor guards on duty at any given time. Also claimed that his rink has signs posted stating what the duties and responsibilities are while people are in the rink. Submitted that the legislation is not necessary. Felt that a lot of what is in the bill can be voluntarily agreed to by the rinks and the associations. Is afraid that the bill would eventually get out of hand and grow to calling for a full regulatory scheme over the industry. Stated that he permits children and parents to bring safety gear into his rink. Agreed that there is an opportunity to market helmets but there is concern regarding the amount of helmets a rink needs to carry in inventory. He had no objection to carrying helmets and no objection to people bringing helmets into the rink. Thought it should be a voluntary thing since he feels that if the wearing of helmets became mandatory it would have some impact, especially on those children who cannot afford to buy a helmet.</p> <p>In response to some questions, stated that membership in the associations is voluntary and adherence to the associations guidelines is mandatory as well. Felt that rinks</p>

	<p>belong to the associations due to the associations experience and expertise in the industry. Estimated that the majority of accidents in his rink occur to those between 10 and 16 years of age. Claimed that his floor guards are instructed to specifically watch out for children skating as well as slower and less experienced skaters. Has no resistance to renting helmets just with making it a mandatory thing. Stated that there is an insurance program available through the associations and that his rink has availed themselves of this program. Claimed he is in contact with his insurance provider for risk management purposes.</p>
<p>Terry Moore</p> <p>General Manager, Skate-A-Way, Incorporated, Chesterfield, Virginia</p>	<p>Concerned about the potential regulation her industry is facing with the bill. Wondered why parents and others who are responsible are being left out of the bill. Claimed that her facility sells helmets but does not rent them due to possible health concerns. Wondered why every bicycle shop does not sell a helmet with every bicycle that is sold. Stated that her floor guards are trained and that her rink has a medical person on staff at all times. Stated that in her 11 years of experience she is only aware of one head injury and that was to an adult not to a child. Believed that the bill may hurt 80% of the small businesses in Virginia. Wondered why the rinks should be making children wear helmets when the children's own parents are not making them wear helmets.</p>

# **APPENDIX F**

## **SUMMARY OF PUBLIC COMMENTS**

### **ROANOKE**



# APPENDIX F

## Summary of Public Comments from October 4, 2002 Public Hearing in Roanoke

### Board for Professional and Occupational Regulation Study Need for Regulating Roller Skating Rinks Pursuant to Senate Bill 436

Name and Affiliation	Summary of Comments
<p>Cynthia Anderson</p> <p>Represents Fun Quest Family Entertainment Center in Lynchburg, Virginia</p> <p>Officer and Member of the Board of Directors of the Roller Skating Association</p>	<p>Concerned regarding what Senate Bill 436 will mean to the roller skating industry. Main concern is over the helmet provision. Due to her 15 years as a speed skating coach, is very concerned with the use of helmets that do not fit properly and are not worn properly. Believed that if people who wear helmets are not educated regarding these two issues then there will be a false sense of security with wearing a helmet. Wants to make roller skating safer for everyone. Stated that the industry was not contacted to provide input into this bill. Her opinion is that the current bill is very ineffective but she would like to work to make the bill better.</p> <p>In response to some questions, stated that she felt that under the current wording in the bill helmets will not be properly sized or worn by skaters. Felt that a helmet is an individual piece of equipment. Is not against children wearing helmets but is against rinks providing helmets that may not fit well or be properly worn. Believed more education is needed which could be accomplished through the use of signs regarding helmets in the rinks. Stated that her research shows that there is no relationship between shoe size and head size. Her first choice would be for parents and skaters to go out and get custom fitted for helmets which they would own. Felt that it is the parent's responsibility to provide the helmets for children to wear.</p>
<p>Jim Anderson</p> <p>Represents Fun Quest Family Entertainment Center in Lynchburg, Virginia</p>	<p>Pointed out that his rink is already regulated by various fire, building and health codes. Also, pointed out that if rinks do not run a good, safe, clean environment then they are going to lose their customers. Felt the bill is a little confusing regarding which issue it is trying to address, helmets or safety. Also felt that the bill has holes in it since there are other skating venues (ex. churches, parks, recreational centers) that are not covered by the bill. Pointed out that there are some national standards that are different than what the bill calls for which have been adopted in other states. Felt that the Illinois law, as it is written, is acceptable to the industry. Believed that if the bill was an exact duplication of the Illinois law then the industry would wholeheartedly support it. With regard to the emergency first aid training of floor guards, felt that their responsibility is more than just providing first aid since they are the first persons at the scene. Believed that floor guards should be instructed, instead, in the knowledge of how to get first aid brought forth immediately. Questioned the use of the word "reasonable" in the part of the bill dealing with the skater's duties and responsibilities since who will determine what is or is not reasonable.</p>

	<p>Brought copies of safety materials that the RSA provides. Pointed out that the RSA does not dictate to its members how to run their businesses but rather makes suggestions and the members try to follow them. Stated that in the late 90's everything that happened with skating came from the sudden increase in outdoor skating due to in-line skates. Stated that information he had showed that there had been 36 skating related deaths since 1992 but that 31 of them involved motor vehicles which meant that they happened outdoors and not in a rink. Claimed that the majority of skating related injury statistics have to do with skating outdoors instead of in a rink. Pointed out that in Virginia only 10 counties have bicycle helmet laws since it is not a state law and the injury rate on bicycles is tremendous compared to skating.</p>
<p>Chris Conner</p> <p>Owner, Skate Center in Roanoke, Virginia</p>	<p>Stated that most rink owners and operators would probably support the bill if it copied the Illinois law as is. Believed that the Illinois law does not address helmets. Other concerns he had with the bill was with the emergency first aid training of floor guards provision as well as the ratio of floor guards to skaters.</p>
<p>Emily Swenson</p> <p>Legislative Assistant to Senator Martin E. Williams</p>	<p>Stated that Senator Williams will be carrying Senate Bill 436 in the 2003 Session of the General Assembly. Read a letter from Senator Williams (see "Summary of Written Comments" in Appendix G for a summary of the letter.)</p> <p>In response to a question, stated that the bill does not call for an enforcement agency going around and inspecting roller skating rinks in Virginia. Indicated that Section 59.1-524 in the bill has stayed the same. Wanted to stress that there is nothing scientific about going to a store and buying a helmet other than to make sure it fits and is properly fastened. Also, if an accident were to occur in a rink it would still be up to the community member to pursue a civil claim against a rink.</p>
<p>Dan McCarty</p> <p>Owner, Star City Roller Skating rink in Roanoke, Virginia. Also is the owner of a rink in North Carolina.</p> <p>Certified Public Accountant</p>	<p>Stated that there is indeed a method to putting on a helmet. Through experience has found out that if a helmet is not worn properly then it is worse than if people wore no helmet at all since it provides a false sense of security. Had no problem with people wearing helmets in the rinks but did not believe that rinks should be asked to provide them. Also, has no problem with signs recommending that people wear helmets. Wondered how the helmets were going to be sanitized that would potentially not cause a reaction with the people wearing them. Questioned the use of the word "reasonable" in the bill since who will determine what is or is not reasonable. Wanted the signage provisions currently in the bill to read more like the provisions that other states have since it helps everyone understand what their responsibilities are. Wanted to know why rinks were being asked to provide helmets when the parents were not being asked to take responsibility to get a helmet for their own child. With regards to the emergency first aid provision, pointed out that he employees students as floor guards since he pays minimum wage and he did not want them to administer first aid to people who get hurt. Claimed his floor guards are trained to get a manager to come out immediately if there is an injury and that the floor guards are trained to keep the other patrons away and direct traffic. Other areas of concern with the bill were the posted signage and floor guard to skater ratio.</p> <p>In response to questions about what the financial cost would be to the rinks to have qualified persons available to administer first aid and to implement the helmet</p>

	<p>provision, claimed he would provide a fiscal feasibility study on these issues. (NOTE: the results of Mr. McCarty's study are summarized in Appendix G.) Did state that to implement the provisions of the bill would call for a price increase at the rinks which would cause a decrease in demand in a market where demand is already decreasing.</p>
<p>Gary and Dawn Guye</p> <p>Clark Andrew Guye's parents</p>	<p>Claimed they went onto the internet to see what various roller skating related organizations were saying about helmets. Stated that the International Inline Skating Association supports legislation requiring people under the age of 18 to wear helmets while inline skating and strongly recommends voluntary use of helmets by all skaters and that helmets should meet the standards of recognized organizations including ANSI, Snell, ASTM, and HECC. Claimed the Association also encourages all retailers to offer full protective gear for sale or rent on their premises and supports mandatory legislation to this end. Stated that the Roller Skating Association International's (RSA) web site also recommended the use of helmets and safety gear while skating outside but once you come into a roller skating rink the RSA said that the gear is not necessary because of the better conditions in the rinks. Felt that the RSA needs to change its policy to recommend safety gear both inside and outside. Stated that the cost of helmets may not be as high as has been stated. Believed that there are sanitary products on the market that can be used to clean the helmets so the health issue can be dealt with that way.</p> <p>With regard to the emergency first aid training for floor guards, stated that when their son died every floor guard in the rink scattered and that it was up to Mr. Guye and a doctor, who was in the rink at the time with his daughter, to provide medical assistance to their injured son. Also stated that as of yet the RSA or one of its representatives had yet to contact them to discuss working on the bill together.</p>
<p>Erica Montgomery</p> <p>Clark Andrew Guye's cousin</p> <p>Student at Radford University</p>	<p>With regard to the emergency first aid training for floor guards, pointed out that day care center employees are CPR certified and they are paid probably only a little more than floor guards make. Believed that rinks could make money renting helmets out so it would be a cost that they would eventually recover. Believed the bill maybe needs some things changed but that it should be implemented.</p>
<p>Roy Stein</p> <p>Rink operator in Winchester, Virginia</p>	<p>Believed you cannot legislate something that is going to prevent tragedies because sometimes tragedies just happen. Believed that children are not going to put a helmet on when they go skating in a rink. Is in favor of public awareness and claimed to have signs around his rink that warned skaters of things to be aware of. Felt that there is an issue around the fact that the bill did not specify what type of safety helmets a rink needs to provide. Also, felt that there are health issues regarding the use of helmets that the rinks are being asked to provide by the bill.</p> <p>In response to some questions, stated that he would support a bill that was exactly similar to the Illinois law. Stated that he has never had a head injury in his skating rink over the past 20 years he has been in the industry. Stated that only one time has he ever had a parent ask him if it was alright for their child to wear a helmet in his rink. Stated that he thinks it is a wonderful idea for people to wear their own safety</p>

	<p>gear in his rink. Claimed that at one time he had wrist guards available for use in his rinks since wrist injuries are very common for skaters. He was unable to rent them and even when he provided them for free nobody wanted to use them. Felt that the same will happen with the helmet provision especially if parents do not come into the rink to make sure that their child is wearing a helmet. Is willing to post signs in his rink in order to raise the awareness of wearing safety helmets. Stated that he is a member of a skating association and has received benefits from his membership, like attending conventions where safety seminars are conducted and sharing experiences with other members.</p>
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# **APPENDIX G**

## **SUMMARY OF WRITTEN COMMENTS**

# APPENDIX G

## Summary of Written Comments

### Board for Professional and Occupational Regulation Study Need for Regulating Roller Skating Rinks Pursuant to Senate Bill 436

Name, Affiliation and Date	Summary of Comments
<p>Senator Martin E. Williams</p> <p>September 20, 2002</p>	<p>Asked the Board to recommend passage of the Roller Skating Safety Act (Senate Bill 436). Stated that the purpose of the bill is to set minimum guidelines by which rink owners and roller skaters must abide. Stated that roller skating rinks have inherent risks that skaters and owners must be aware of. Hoped that the bill will reduce these risks. Stated that the bill leaves it up to the community to enforce the Act and that it does not mandate enforcement.</p> <p>NOTE: Senator Williams' aide read the text of this letter at the Board's September 20, 2002 public hearing in Newport News and the Board's September 23, 2002 public hearing in Richmond.</p>
<p>Patty Rountree</p> <p>Friend of the Guyes</p> <p>October 1, 2002</p>	<p>Wrote on behalf of the Guyes. Her 5 year old daughter attended a function at a rink where none of the children wore helmets. Was with the Guyes at the hospital after the death of their son. Believed that if the Roller Skating Safety Act were passed it would prevent another tragedy from occurring. Regarding the helmet provision in the bill, stated that no cost is too great to save a life and if there was more education out there about the dangers that rinks pose then more helmets would be worn. Believed that helmet manufacturers would provide rinks helmets either at cost or for free as a way to advertise their helmets.</p>
<p>Senator Martin E. Williams</p> <p>September 20, 2002</p>	<p>Wrote in response to the concerns that had been raised at the first two public hearings regarding the Roller Skating Safety Act. Stated that several compromises have been made to the bill: (1) the number of helmets rinks need to have available can be equal to the average number of attendees at the rink and (2) the helmets may be issued for rent by the rinks. Felt that there has been positive discourse as a result of the hearings and that the changes being made to the bill will improve it chances of being implemented.</p> <p>NOTE: Senator Williams' aide read the text of this letter at the Board's October 4, 2002 public hearing in Roanoke.</p>
<p>Victoria Tharp</p> <p>Owner of Skate-N-Fun Zone</p> <p>Secretary/Tresurer of the</p>	<p>Owens a skating center in Manassas, Virginia and has been in the family entertainment business for over 18 years. Attended the public hearing in Roanoke on October 4, 2002. Believed the skating industry has 3 main concerns with the Roller Skating Safety Act:</p> <p>1. The helmet issue</p>

<p>Southeastern Regional Chapter of the Roller Skating Association International (RSA)</p> <p>October 7, 2002</p>	<p>Felt safety helmets are a very personal item that are only effective when fitted and secured properly. Most children already have safety helmets due to local ordinances requiring them in order to ride a bicycle. For some reason, their parents choose not to have them wear the helmets in her rink. There are also sanitation issues with the helmets. Would rather educate parents about helmet use than make the rinks provide helmets. Stated that the Girl Scouts in her area tried to require all girls to wear safety gear while skating at their rinks. Parents and children opposed this requirement so it just became a recommendation. Felt that if the rinks are required to provide helmets they will just sit on the shelves in the rinks. Believed that helmets are a choice to be made by parents and their children. Helmets should be sized to fit the child and the child taught how to wear and secure it properly. Felt that the responsibilities of the rinks should be to provide signage and education regarding the wearing of helmets while skating.</p> <p>2. Ratio of 1 floor guard per 100 skaters Claimed that the other states with similar skating safety statutes have the ratio as 1 floor guard per every 200 skaters and that this ratio is also used by the RSA. Does not understand where Virginia got this 1 to 100 ratio from and felt that it needed to be changed. Wanted Senate Bill 436 amended to make the ration 1 floor guard for every 200 skaters.</p> <p>3. Floor guards provided with emergency first aid training Stated that the floor guards in her rink are usually students in the 15-16 age range. Claimed they are not old enough to become licensed EMT's and that their training would not be in the best interest of the customers. Would rather have them maintain control of the floor and protect other customers from further injury. Wanted Senate Bill 436 amended so that floor guards are trained to be able to access emergency medical care.</p> <p>Felt that the legislation, as it is currently written, is not effective and does not accomplish the goals it claims to want to achieve.</p>
<p>Nancy L. Becker</p> <p>Owner of two roller skating rinks in Virginia</p> <p>October 9, 2002</p>	<p>Attended the October 4, 2002 public hearing in Roanoke. She and her family have been involved in skating in some capacity for a very long time. Believed that roller skating has a lot to offer people both socially, competitively and physically. Provided detailed suggestions to various parts of Senate Bill 436.</p> <p>Under "Operator duties and responsibilities":</p> <p>1. Change number 1 to read – "Post conspicuously in at least three locations in the roller skating rink the duties and responsibilities of the skaters and operators as prescribed in this chapter."</p> <p>2. Change the helmet provision to allow for signage instead stating that the Commonwealth and the rink owners encourage helmet use in the rink. Believed that if the bill is not changed to insure the proper fit and securing of helmets then this</p>

	<p>provision of the bill will not achieve its goal. Believed that the best person to determine this and who has the primary responsibility is a child's parents. Also has a concern regarding the ability to sanitize the helmets.</p> <p>3. Change the floor guard to skater ratio to be 1 to 200 which is the standard set by the RSA.</p> <p>4. Change provision requiring that floor guard receiving emergency first aid training to read: "Floor Supervisors should be trained to quickly access emergency medical care." Felt that people trained to provide medical care of any kind take on a large responsibility that could subject them to lawsuits. Stated that a floor guard's main responsibility is to secure the area and make sure that other skaters do not interfere with an injured skater. For this reason, the floor guards are not the appropriate people to be providing emergency medical care to injured skaters.</p>
<p>Dan McCarty, CPA</p> <p>Owner of Star City Skating Center in Roanoke, Virginia</p> <p>Not dated. Received on October 11, 2002</p>	<p>Provided a biography of his experience in and around the world of skating. Also provided figures to show (1) the cost to the average roller skating rink of the helmet provision (\$9, 119.79 increase in yearly expenses with a \$5,375.00 initial startup cost) and (2) the cost of the floor guard to skater ratio and the emergency first aid training provisions on the average roller skating rink (\$43, 273.00 increase in yearly expenses with a \$912.50 initial startup cost).</p> <p>Believed that the effects of Senate Bill 436 would be devastating on the roller skating industry in Virginia. With regard to the emergency first aid training provision for floor guards, stated that the average age of the floor guards being employed is between 16 and 18. Does not feel they are old enough to be making first aid/medical decisions on an injured skater. If rinks were to attempt to hire older workers, he believed the older floor guards would not work for minimum wage so the increase in payroll costs would be detrimental to the rinks. Also, questioned who will be liable should the floor guard administer first aid incorrectly even if they are trained. Believed Virginia should be liable. Stated that the other states with similar safety statutes do not have such a emergency first aid training provision.</p> <p>Stated that the other states with similar safety statutes have a floor guard to skater ratio of 1 to 200.</p> <p>With regards to the helmet provision, believed that the cost to the rinks of the helmets would be substantial as well as having a sanitation/health risk as well. Stated that when parents leave children at rinks, the children do not wear helmets.</p> <p>Claimed that the roller skating industry has been in a serious economic downturn for the past couple of years (sales down 25-35% and gross receipts down \$300,000-800,000 depending on the population density where a rink is located.) The increased costs that the bill would impose on rink owners would cause them to have to raise prices which would put many rinks out of business. He questioned what children who want to skate will do if rinks go out of business.</p>



	<p>Concerned about the enforcement provision of the bill since he feels it means that he will have to be calling the police or local sheriffs whenever a skater violates any of the skater responsibilities stated in the bill. Felt that this is silly since he employs floor guards to make sure that skaters skate responsibly.</p> <p>Believed that most rinks are fun, safe places for people to skate and bring their children. Claimed that most rinks are owned by people that are concerned for children and the well being of their patrons by following the guidelines set forth by the RSA.</p>
<p>Lina H. Pace</p> <p>Woman who teaches roller skating in a rink</p> <p>October 16, 2002</p>	<p>Attended the October 4, 2002 public hearing in Roanoke. Has been teaching skaters for 42 years. Felt sympathy for the Guyes' loss, however, believed that Senate Bill 436 does not increase the safety of skaters. Felt that in its current form the bill would destroy the roller skating industry in Virginia. Does not want the industry to be regulated. Stated that she welcomes children to use helmets when skating at rinks but wants parents to decide what is best for their children.</p>
<p>Larry I. Zucher</p> <p>Attorney who assisted with drafting the New Jersey version of Senate Bill 436.</p> <p>October 17, 2002</p>	<p>Has more than two decades of experience working with roller skating safety statutes and with management issues in the roller skating industry. Stated that he does not believe that the roller skating industry needs the type of comprehensive regulation found with the occupations currently regulated by the Department of Professional and Occupational Regulation since it will not improve the safety of the rinks. Instead, he supports the kind of safety statutes found in 11 other states. Supports Senate Bill 436 to the extent that it is a duplication of the Illinois statute it was patterned after.</p> <p>Recommended that the helmet provision be taken out of the bill and reintroduced separately after the helmet issue has been studied some more. Felt that the current helmet provision would not promote effective helmet use by roller skaters and would not increase the awareness of skaters to wear helmets in rink. Believed that the current helmet provision in the bill would be a waste of money for the rinks and would only benefit the sellers of safety helmets. Stated that simply having helmets available would not encourage their use. Also, stated that simply putting a helmet on a person's head that was not appropriate for roller skating, that does not fit properly, and that was not secured properly would not protect someone from a head injury. Felt that the best people to promote helmet usage are parents.</p> <p>Additional recommendation to various other parts of the bill:</p> <ol style="list-style-type: none"> <li>1. Have the rink owners post the responsibilities of the skaters as outlined in the bill.</li> <li>2. Change the ratio of floor guards to skaters to 1 to 200 which is the generally accepted ratio both nationally and in most of the other roller skating safety statutes.</li> <li>3. Floor guards should be trained to obtain emergency first aid services but should not be required to give such services themselves.</li> <li>4. Section 59.1-521 (11) – should be rewritten to read “Maintain and inspect rental skates on a regular basis.”</li> </ol>

	<p>5. Section 59.1-522 (1) – should be rewritten to read “Maintain reasonable control of his speed and course at all times.”</p> <p>6. Section 59.1-522 (2) – the word “reasonable” should be replaced with “stated” since skaters should not be able to decide what instructions are reasonable or not.</p> <p>7. Add two additional duties for skaters:</p> <ol style="list-style-type: none"> <li>“Accept the responsibility for knowing the range of the skater’s own ability to negotiate the intended direction of travel while on roller skates and to skate within the limits of that mobility.”</li> <li>“Maintain a proper lookout to avoid other roller skaters and objects.” This section was in the Illinois statute but was left out of Senate Bill 436.</li> </ol>
<p>A. G. Howell, III</p> <p>Owner of Skate America in Mechanicsville, Virginia</p> <p>October 21, 2002</p>	<p>Believed that while the industry supports safety measures Senate Bill 436 barely addresses safety concerns. Felt that the industry does not support the bill for this reason. Provided detailed injury data to show the relationship of roller skating injuries compared to other activities and sports. Felt that other options exist, like mandatory signage, that would achieve the same goals that the bill hopes to achieve. Believed that the bill was created in a vacuum without any input from the industry. For this reason, believed the bill is over burdensome. Stated that it is incumbent upon anyone participating in an activity or the parents of a child to educate themselves about all of the risks associated with that activity and to use the recommended safety equipment.</p> <p>Believed that the data shows that roller skating rinks are the safest environment in which to skate due to having monitoring of skaters by floor guards, cleaned and inspected facilities, skaters that skate in the same direction and no unexpected objects that could interfere with skating. Felt that while this is the case the bill only targets rinks and does not address other venues for skating like parks, boardwalks, non-profit centers, sidewalks and streets. Felt that most rink practices and procedures are driven by the 65 years the industry has been around and by the insurance coverage the rinks have.</p> <p>Recommendations were made to various parts of the bill as follows:</p> <ol style="list-style-type: none"> <li>1. Revise the definition of “Floor Guard” to read “a person employed by the operator to oversee the skating session and maintain order in the roller skating venue.”</li> <li>2. Revise the definition of “Operator” to read “a person who owns, manages, controls or directs or who has operational responsibility for a skating venue.”</li> <li>3. Revise the definition of “Roller Skater” to read “a person wearing roller skates while in a skating venue for the purpose of recreational or competitive roller skating. Roller skater also includes any person in such roller skating venue who is an invitee, whether or not said person pays consideration.”</li> </ol>

4. Remove the term “Roller Skating Rink” and replace it with “Skating Venue” with the following definition “a for profit private or commercial structure or facility containing an area specifically designed for roller skating that is regularly used or offered for use to the public for recreational or competitive roller skating and any other skating venue (e.g. parks and recreation centers, boardwalks and other places) where citizens publicly congregate for the purpose of skating (where such activity is not precluded by law).”
5. Revise the definition of “Spectator” to read “means a person who is present in a skating venue only for the purpose of observing recreational or competitive skating.”
6. Revise Section 59.1-521 (1) to require the posting of both the operator’s and the skater’s responsibilities.
7. Replace the helmet provision with a signage provision. The signs could be placed in a prominent location in the skating venue and would serve as a warning and education to skaters to wear helmets. The author feels that this would be more beneficial than having helmets sitting on a shelf that skaters are not required to use.
8. Revise the floor guard to skater ratio to be 1 to 200. Stated that the other states with skating safety acts have such a ratio. Additionally, states that the rationale behind this ratio is that up to 10 % of the skaters will require supervision and one floor guard should be able to assist 20 people out of 200. Additionally, no evidence has been produced to show why the more stringent ratio currently in the bill is needed.
9. Revise the provision requiring emergency first aid training to floor guards by stating that floor guards need to know how to access persons who are trained to provide such services. The author feels that that the bill does not specify what level of emergency first aid training is required. Due to the usual young age of most floor guards, it would not be in the best interest of anyone to have them provide emergency first aid. Additionally, the author believes that if floor guards do provide medical care, it would take away from their other responsibilities such as securing the area and insuring that the injured person is not hit by a skater.
10. Revise Section 59.1-521 (11) to read “inspect and maintain rental skates on a regular basis to determine serviceability.” The current wording of this section uses the term “check” which the author feels does not indicate what type of process is used and “ensure” which seems to imply a warranty that is not there. The author believes the suggested revised wording seems more appropriate.
11. Revise Section 59.1-522 (1) to read “maintain control of his/her speed and course at all times, and maintain a vigilant lookout to avoid other skaters and objects.” The current wording of this section uses the term “reasonable” which the author feels makes this section ambiguous.

	<p>12. Revise Section 59.1-522 (2) to read “comply with all posted signs and warnings and follow the stated instructions of the operator and/or his agent.” The author feels this revision would improve this section since now skaters would have to follow all signs and warnings whether verbal or written.</p> <p>The author believes that the removal of the helmet provision combined with the changes suggested above creates the most effective and least restrictive legislation possible.</p>
<p>Dana Chaput</p> <p>General Manager, Haygood Skating Center Inc. in Virginia Beach, Virginia</p> <p>Not dated. Received on October 29, 2002</p>	<p>Stated that he is a skating rink operator who has been involved in skating for over 35 years. Points out that skating, like many other activities carries with it a certain risk of injury and in very rare instances death. For the most part, agreed with many of the items in Senate Bill 436 that establish minimum guidelines for both skaters and rink operators. Claimed that the RSA as well as the insurance companies have many of the same guidelines that the bill has. The only exception is the current helmet provision in the bill. Stated that the main reason that rink operators are not in favor of the helmet provision is because they are afraid that it will eventually lead to a mandatory helmet law in Virginia, which was something the Guyes claimed they wanted when they first drafted the bill. Claimed that skaters do not want to be forced to wear helmets. Included a petition with the letter that contained over 300 signatures from patrons of his rink who claim that they are opposed to the bill and that the helmet provision is not good for many reasons. Wants his customers to retain the right to determine whether or not they want to wear safety gear. Stated that a helmet law would destroy the roller skating industry. Asked at what point do we hold the facilities responsible for the protection of the patron and at what point do we hold the patrons responsible for their own safety. Wants the helmet provision completely removed from the bill.</p>